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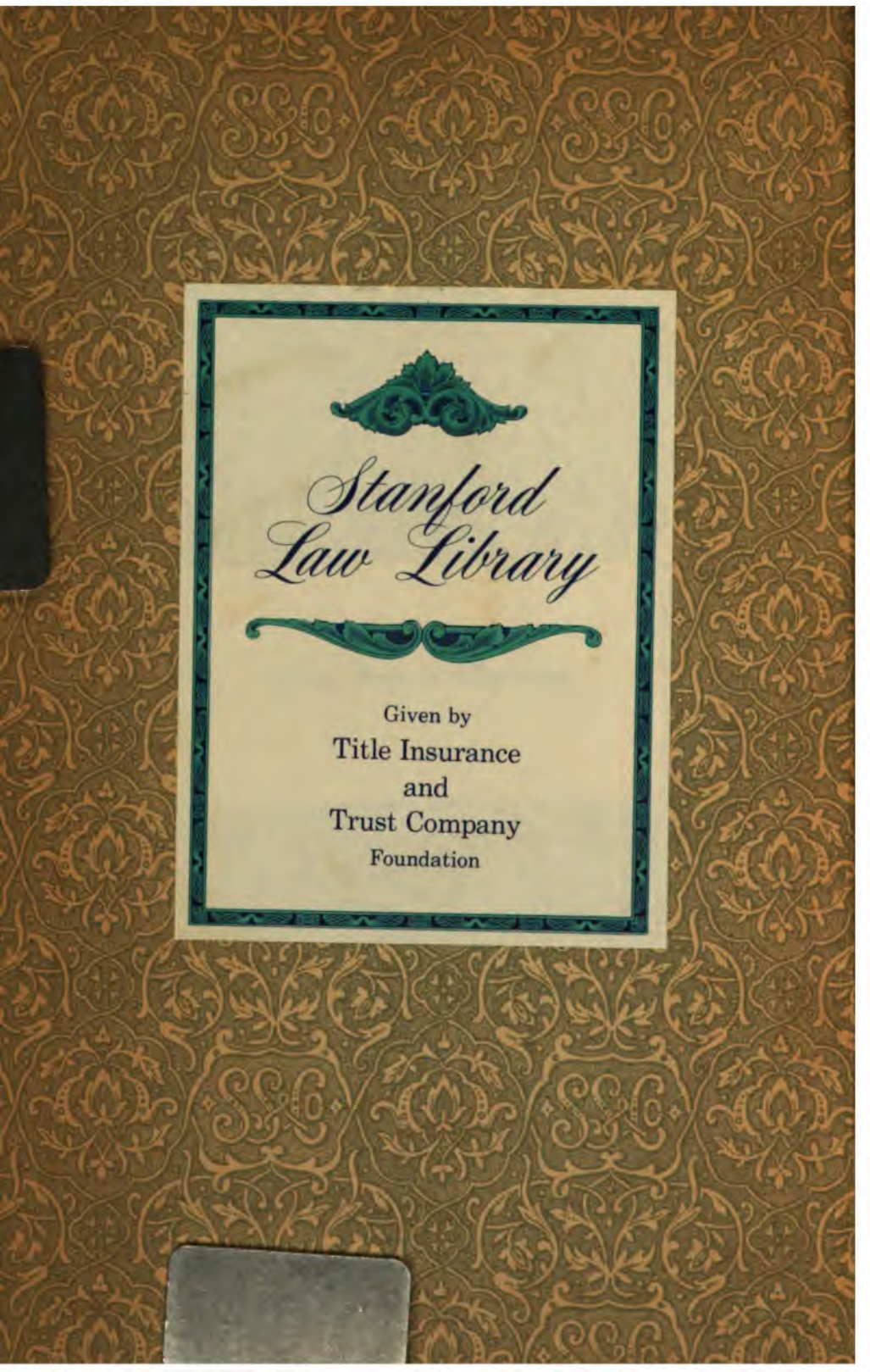
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# HISTORY

OF THE

# ENGLISH LANDED INTEREST

## Its Customs Laws and Agriculture

(*MODERN PERIOD*)

BY

RUSSELL M. GARNIER B.A., Oxon




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# PREFACE.

THE encouragement which the first part of this work has received from the pens of lenient critics has prompted me to carry my narrative forward to its conclusion.

Briefly described, the present volume may be divided into two portions; viz., that belonging to the eighteenth century—a time of germination and growth, and that belonging to the first half of the nineteenth—a time of fruition. The kind of crop which was coming to maturity all through the earlier portion of these two periods may be clearly discerned garnered in those pages of the Statute Book which deal with the legislation of the later. Such a harvest was not unaffected by storms and commotions, and the narrative of these, together with an explanation of their causes and results, has led me forward till I found a convenient halting-place at the Repeal of the Corn Laws.

The last four decades of this present century are fraught with interest, and without doubt pregnant with important future changes, but they embrace a subject more fitted for a history of modern British agriculture than for the work which I now offer to the public.

Nothing remains for me to do but to express my sincere gratitude to those men of letters who have accorded me so flattering a reception on entering their select circles.

RUSSELL M. GARNIER.

## ERRATA.

Page 83, note 3, *for* "A Short Relation of a Land Journey," *read* "A Short Relation of a Long Journey."

Page 93, note 1, *for* "1883," *read* "1893."

Page 118, seven lines from bottom, *for* "human nature," *read* "human beings."

Page 135, note 1, *for* "Corn Laws," *read* "Corn Trade."

Page 141, last line, *for* "Corn Laws," *read* "Corn Trade."

Page 150, six lines from bottom, *for* "unequal," *read* "equal."

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# HISTORY

OF THE

# ENGLISH LANDED INTEREST:

*ITS CUSTOMS, LAWS, AND AGRICULTURE.*

## The Eighteenth Century.

### CHAPTER I.

THE LASTING EFFECTS OF FEUDALISM.

As our History is about to emerge from the shadow of Feudalism into a more enlightened economy, it would be well if we pause for a space to consider what lasting effects this old mediæval system has had upon the national character. In order to see these the more clearly, we must discover—firstly, whether, since Feudalism was common to all the Germanic nationalities, it was not less a polity peculiarly distinctive of them than a necessary adjunct of their existence; and, secondly, how far their ethnic idiosyncrasies influenced its growth.

Without entering again upon the question of a Roman origin to account for all its principal features, it is possible, we think, on even a cursory examination, to prove that race peculiarities of character had very little to do with its evolution, and

that the existence of a Teutonic family without it is quite a conceivable possibility. And yet these are bold assertions when we come to consider how closely Feudalism has twined its tendrils about our very existence, so that possibly we English and Germans shall never be altogether free from its customs and associations, as long as we continue to inhabit ground so deeply impregnated with its usage. At this period of the Stuart dynasty it was seemingly as dead throughout England as the economy of the patriarchal era; and yet at this identical moment, William the Deliverer was being crowned at Westminster with almost as many details of the old pageantry as accompanied the coronation of his namesake, the Conqueror. Rouge Dragon, Clarencieux, and Norroy were all present, the coats with the embroidered lilies and lions were put on, and garter king at arms was shouting out the fact at the gates of Whitehall Palace. It was not an opportune moment to omit any demonstration of this event which might be likely to catch the vulgar eye, since in another sense it signified the final success of an undertaking to which the Jacobites applied such ugly terms as "conspiracy" and "revolution." And this is a typical instance where a feudal incident was allowed to become a national institution, not so much by reason of its ornamental surroundings as of its practical value to the new economy which slowly but surely was now being adopted.

Notwithstanding the legislation of Charles II., Feudalism died no sudden death, for it faded away not one whit less gradually than the fresh methods of conveyancing and leasing crept in. Englishmen were strongly conservative in their ideas of land tenure, and clung to the old practices until deprived of them by State intervention. Even then they framed substitutes as similar as laws would permit. The strict family settlement took the place of the feudal entail, and the farmer that of the villein; but the hereditary policy of families remained uninterrupted, and was handed down, together with the estates, from father to son. The agricultural tenants were just as disposed to regard their landlord in the light of a protector as the manorial farming community had done; and, as a consequence of this sentiment, evidence still exists of farms

which have remained for generations in the hands of one family.

It would be hard to find in the new landed economy any important element which did not originate either before or during the feudal era. The lease, for example, one of the principal features of the modern land system, was in use 345 years before Christ,[1] and was introduced into this country at a time when feudal customs showed but little signs of a coming decrepitude.[2]

We are then not only prepared to admit that our Anglo-Saxon forefathers parted lingeringly and reluctantly with this mediæval land system, but to show that there is an instinctive tendency to resuscitate some of its ancient functions when suitable occasions arise. Even amidst incongruous surroundings, and on soils entirely free from the old traditions, the Anglo-Norman blood betrays its presence and the defunct practices of Feudalism recur. This is sometimes the case amidst the English-speaking communities of the New World. Mr. Froude, in his *Oceana*, talks of Anglo-Saxon institutions sprouting into vigorous life on all parts of the fertile Australian soil. He has seen with his own eyes, in these southern colonies, all the familiar machinery of a landed estate, with its country house, tenantry, and farm homesteads. He has frequently shaken hands and conversed with the representatives of a Victorian landed gentry. He has tramped over Antipodean stubbles dotted with red and yellow corn shocks, has gazed on blossoming potato crops, and peeped into well-filled rick-yards. He has noted the change from farm lands to pasturage and covert, as he approached the great gates of an Australian landlord's demesne. He has passed sheep nibbling the grass, and deer grouped under the wooded clumps of its park. He has sauntered up the approach, glancing at the trim hedges, clean-mown lawns, and bright-flowered gardens which flanked its broad and well-kept drive, until he has alighted

[1] Caird's *English Agriculture*, 1852; Note on Leases, p. 531.

[2] There are leases still in existence, principally in the counties of Cheshire and Lancashire, which have centuries to run, and which were one hundred years old in Stuart times.

before the doors of a mansion, which from its diamond-paned, old-fashioned windows reminded him of some Tudor manor-house in the old country. Its handsome inmates, their mode of life, and truly English hospitality, were but finishing touches to a picture which assured him that the institution of a country gentry is no artificial product of a feudal society, but the free growth of this English nation.[1] And yet, with all these similarities between the Englishman abroad and the Englishman at home, there were points of contrast which could have only arisen from a difference in the circumstances which cradled the infancy of the Anglo-Saxon grandsire and that of his colonial grandson. Provincialisms in the manners and speech of the Antipodean Englishman are conspicuous by their absence, proving how entirely he has lost touch with his tribal origin.[2] Here in the mother-land the rolled r's of the Scotchman, the guttural consonants of the Welshman, the burr of the Northumbrian collier, the melodious intonation of the Yorkshire tyke, the accentuated z's of the Somersetshire peasant, all keep up the associations of a time when Picts, Scots, and Britons, Angles, Jutes and Saxons, Danes and Normans strove for the mastery throughout the length and breadth of this island. Out in this new world a titular aristocracy, the offspring of Feudalism, does not flourish and is not wanted. In a democratic constitution where all are comfortably situated, class antipathies, so thinks Mr. Froude, are hardly possible, and political rivalry is but the artificial warfare of faction and intrigue.[3] Sprung from the middle class, that unique production of Europe, the Australian frames his social system on the lines laid down in the great centres of our English commerce. His aristocracy consists solely of those who have been successful in business,—money settles the vexed questions of social precedence, and pedigree is almost entirely ignored; so that however much the Australian may lionise

[1] Froude's *Oceana, passim.*

[2] The Australian twang and the Yankee drawl are not to be confused with our home vagaries of accent and speech. They are attributable to some other source than tribal or provincial origin.

[3] Froude's *Oceana, passim.*

some blue-blooded visitor from the old country, he regards with feelings the reverse of respect any individual of his own colony who has obtained a patent of nobility. The powdered flunkey, a survival of the Feudal Incident of Liveries, is a rarity in the new land. Courtesy, a marked feature in the old polity, is not, as here, the consequence of gentle birth. In good manners, if in little else, the smart young bloods who parade Hyde Park on a Sunday afternoon would incomparably excel the fashionable youths who pass as their counterparts in the social circles of Melbourne or Victoria.[1]

From this superficial glance at Mr. Froude's book, we may safely decide that the Anglo-Saxon idiosyncrasy and Feudalism are by no means inseparable. At the outset our forefathers were probably as antagonistic to its repellent restrictions as the Celts, though, unlike the latter, they possessed that ethnic ability (germ of much that is connected with their ultimate greatness) of adapting tastes and habits to fresh circumstances, and of assimilating into their national system any economy for which the force of events might raise a cry.

In order to see this the more clearly, let us now examine the inception and progress of Feudalism amidst some purely Celtic nationality, and let our choice of such fall upon the Celts of Ireland and Scotland, since at the period now reached the inhabitants of both these countries had become permanent and important factors in what is called, for the sake of brevity, the English Constitution.

Now the history of the Irish Celt is in many respects very similar to that of the English Teuton. Entrancing though the legendary period of Irish history undoubtedly is, there is no necessity for our present purpose to trace back the unit of a Hibernian society beyond the tribe. The sept, or tuath, is in occupation of its tribal territory, when we open the pages of Ireland's past. The toisech, the tanist, the filè, and other office-bearers possess in severalty their separate holdings of rig and flath, and the rest of the tribesmen pursue a system

[1] Froude's *Oceana, passim.*

of communal land tenure on the open tracts of pasturage and plough field.

Nomadic habits seem to have lingered on and become intermixed with the rude beginnings of Feudalism and common field agriculture. The kempery men, or standing army, under its leader, the toisech, claimed support from the creaghts, or wandering herdsmen, who moved their cattle over the hilly pastures of different lordships, paying a seignorial due in turn to each proprietor of the herbage from which their livestock obtained a temporary means of existence. The customary seignorial due, a gift of the best beast, on the death of one of these "can-finnys," or free tenants, to the lord, reminds us of the Danish heriot. The king also claimed his rent in kind; and the head men, who corresponded to the tenants *in capite* on the other side of St. George's Channel, in turn received sorren, or chief rent, from their subordinates. The origin of this sorren recalls to mind partly the incident of purveyance, partly the fyrdbote of the Trinoda Necessitas; for at first it consisted of the night's meal demanded as a right by troops on active service, whilst passing through the tribal lands. Mr. Cochran Patrick, from whose interesting work on Mediæval Scotland[1] we have extracted much of the above information, states that the support of the kempery men by the creaghts lingered on to the times of which we are now treating; and it can be readily imagined how formidable to the English this facile method of replenishing the military commissariat must have been in the struggle between the dethroned James and William of Orange. Indeed, several of the old customs, prohibited by law during the middle ages, were revived to meet the crisis which arose after the confiscations of the seventeenth century; and, as we shall shortly show, the defeated leaders of the Jacobite army resorted for a livelihood to the old tribal custom of cosherie, which entitled the visiting Ri to board and lodging in the homes of his vassals.

During the earlier centuries of the Christian era, the undulating plain of rough herbage[2] terminating towards the coasts

[1] Cochran Patrick's *Mediæval Scotland*, c. i., and Appendix.

[2] It is not to be understood that there was no arable land; corn and

in detached groups of low hills, and towards the centre of the island in large extents of barren bog and morass, offered but few incentives for foreign invasion. For half a dozen centuries internecine warfare between tribal chieftains alone varied the peaceful monotony of a pastoral life. The Phœnicians and Greeks had come and gone, and left no trace of their visits. St. Patrick had followed, and throughout the island introduced a Continental form of the Christian faith. About the eighth century those restless rovers, the Danes, began to invade the eastern seaboard. The tanists, or chiefs of the various septs, though more or less submissive to a national king, were true to their Celtic instincts, and offered no combined resistance to these wild intruders. As in East Anglia, so in Munster, the Danes established a permanent foothold, and became absorbed in the national existence. Then, four centuries later, in 1167, came the Anglo-Norman invasion, and the introduction of Feudalism. And here begins a divergence, small at first, becoming larger as it progresses, between the land tenure established by the Norman in England and that established by him in Ireland, which is really at the root of all those national disagreements which have hitherto marred the history of the Union. The Anglo-Saxon could adapt his natural tastes to the new economy without much trouble, but the Celt never seems to have been able to do so. There was no national gathering of freeholders in Ireland like that of Salisbury Plain to do homage to the sovereign, and this resulted in a system of Feudalism more reconcilable with the allodial land tenure of the Heptarchical economy than with the polity developed in England after the Norman Conquest.

Septal property was granted in huge quantities to the Free Companions, who conquered Ireland under the authority of King Henry II., and the countenance of Pope Adrian IV.; but as to the best means of introducing the English manorial system, the conquerors were left to their own resources. Their

butter were common dues, and the O'Neill and his clan lived principally on these products of Irish farming, which signify the "Strowan," mentioned in the *Ulster Journal of Archæology*, vol. iii. p. 134.—Coch. Patrick's *Mediæval Scotland*, Appendix.

attempts resulted in an impracticable muddle, in which tribal customs and seignorial laws were irreconcilably jumbled up. Primogeniture was introduced, but the old Brehon legislation was not abolished. The feudal law of distress was enforced more strictly than in England. On the other hand, the lord's powers of entail were limited by the tenant's retention of a tribal right to veto the transference of the lordship to any feudal superior whom they might decide to be hostile to their sept.[1] The consequence was that there were Norman barons occupying lands under a system of strict feudal tenure, and Irish chieftains occupying lands under a system more akin to strict septal tenure than feudal. The English of the baronies within the pale were always contending with the Irish tribal communities without it. It is more than probable that, if left to themselves, the Celtic population would have eventually absorbed the Saxon element, just as it had absorbed the Danish, and then worked out some intelligible system of land tenure suitable to the conflicting interests of both parties concerned; but in Tudor times this process, which had up to then made rapid and peaceful progress, was detected and checked by the sovereign, and, as in most cases where nature is artificially restricted, the result was a disturbance which has not yet ceased to embitter international relationship. The landlord in Ireland was regarded as a usurper. His tenants had never been his military retainers in battle; on the contrary, all tradition reminded them of a period when they fought, not under his banner, but against it. There is no doubt that the English feudal superior (at any rate in mediæval times) derived an immense amount of his influence over the manorial population from the support of the monastic and secular clergy. Unlike their brethren in England, the landless[2] priests of Ireland were in religion, education, and nationality, utterly out of touch with the seignorial element. The agricultural population therefore came to regard their landlords as oppressors,

[1] *Systems of Land Tenure*, Cobden series. *Tenure of Land in Ireland*, Rt. Hon. M. Longfield.

[2] The Saggart, the original Irish priest, was as an office-bearer, one of the landlords of the tribe.

their priests as leaders: a circumstance which induced the former to tighten their grasp upon the land by means of drastic legislation, and the latter to throw in their powerful influence with the cause of that side to which they were attracted by consanguinity as well as by a community of interests and tastes.

That portion of Irish history, however, which coincides with the period we have now reached, is perhaps the most instructive of any for the problems we have just set ourselves to solve. The ethnic instincts of the Celt, when unrestricted, gravitate down to a tribal economy, while those of the Anglo-Saxon stop short at a feudal economy.

At the moment when William of Orange was being crowned King of Great Britain, France, and Ireland, that strained relationship between Irish landlord and tenant, to which we have drawn attention, stretched to a breaking point by the increasing tension between the social and religious leaders of the people, was about to burst asunder in open strife. The viceregency of Tyrconnel had all along aimed at transferring the chief posts of civil authority to the native element. The administrative power was in the hands of men whose national antipathy to the Anglo-Saxon was only equalled by their sectarian hatred. The wealth of Ireland consisted of its flocks and herds; and though but one-fifth of its population was English, four-fifths of the property located there belonged to Anglo-Saxon landlords.[1] There was much in the stealthy and determined provisions for the coming struggle which reminds us of the Indian Mutiny. Instead of the unsuspecting sahibs, there are the unconscious country gentry; instead of the bloodthirsty Sepoy, the savage Rapparee; instead of the whispers in Indian bazaars, the undertone of gossip in Irish market and fair. When the storm bursts, there is on the one side a resuscitation of all the old tribal instincts of murder and rapine, on the other side all the discipline and resource of a military system, prepared as it was for war at every point. In the absence of castellated manors

[1] Macaulay's *History of England*, c. xii.

each large country house became a fortress. The English settlement at Kenmare formed itself into a military colony, as though the lætic system of land tenure was the essence of its being. That cluster of eighty dwellings around the castle of Enniskillen was neither more nor less than a typical feudal village of some mediæval barony. The loyalists of Londonderry converted their neighbourhood into just such another fortified rallying point; and the neighbouring country gentry gathered to one or other of these strategic centres, as though they were the *subfeudarii* of their respective military governors. The native Irish devastated the country, murdered their foes, destroyed flocks and herds, pillaged houses, and altogether behaved themselves as though their innate tribal savagery had once more sprung into being. The aimless butchery of fifty thousand cattle and four hundred thousand sheep in a few weeks[1] is an episode of war which demonstrates not only the bloodthirstiness of the one side and the wealth of the other, but also the advanced stage which Irish farming had already reached, and the consequent heavy loss of capital which such savagery entailed. The Irish leaders, many of them corresponding with the English squire in social standing, regained, so long as the struggle lasted, much of their old septal status, which served them in good stead when their estates were confiscated and they were turned loose to beg their bread amongst their former followers. And here again a national contrast of character stands out; for when the repeal of the Act of Settlement in 1689 had beggared the Anglo-Saxon landlord, he at once took his brains and energy elsewhere, and set to work to refit his shattered fortunes on a more congenial soil.

Whether, then, we examine Irish history as a whole, or take some eventful portion of it, such as the period just described, we are forced to the conclusion that the Celt for some reason or other has been less adapted by nature to a system of feudal land tenure than the Anglo-Saxon. A study of Scottish history only tends to strengthen this theory; but in turning our

[1] Macaulay's *History of England*, c. xii.

attention to Scotland, we must be careful to distinguish that line which separates the hilly districts occupied by Celtic tribes from the lowlands, where a Teutonic element is clearly discernible. In the soil of Southern Scotland, Feudalism, when once it found root, took a firmer and more lasting grip than ever it did below the Tweed. The laws of Anglo-Saxon kings, and charters dating as far back as the seventh century, afford us sufficient evidence of its early appearance and rapid progress on English ground; but there is no Scottish Statute Book before the reign of David I., and no charters before the time of Malcolm III., to afford us the same information regarding its growth in Scotland.[1] It is probable, however, that the laws of Malcolm really formulated some existing system of a feudal tendency, which had blended itself with a patriarchal economy both north and south of the Grampians. To Malcolm, then, fell the task of converting allodial into feudal lands. Like his contemporary, William the Conqueror, he distributed the Crown's seignorial rights amongst the more influential of his subjects in exchange for their homage, thereby creating the same class of king's vassals as had by now replaced the Anglo-Saxon allodialist on the southern side of the Border. The same species of feudal tenures, which we have already described as obtaining amongst the Normans in England, now made its appearance among the Scotch; and the latter, less able to resist and more liable to invasion than their powerful Southern neighbours, were obliged to prolong such incidents of Feudalism as were most closely associated with a military system, long after we English had rendered them applicable to peaceful pursuits. The burdens, however, of ward and marriage were not so necessary among the Scotch as among the English, and were therefore presently commuted for a moderate sum under the new term of "Taxt Ward." By this incident a vassal was liable for a certain amount of military service, as well as for the payment in money usually associated with soccage tenures. Thus, while in England the military service had gone out of the tenure in chivalry and the

[1] Dalrymple's Essays, *Feudal Tenures*, 2nd ed., p. 20.

wardship remained, in Scotland the military service remained and the wardship had vanished.[1]

In dealing with the subject of Early English Feudalism, in Part I. of this work, we drew attention to the many vagaries of manorial tenures, some of which had assumed such whimsical forms as the gift of a rose or the performance of a grotesque attitude, without which annual duties the manorial rights would lapse to the superior. This incident, technically termed "blenchholding," was much more widespread in Scotland than in England, and owed its origin to a pernicious practice adopted by superiors at a time when Feudalism was chiefly prominent for its luxury and display. In order, therefore, to obtain immediate supplies, the seignorial owners granted out their lands at a nominal charge, merely sufficient to prove their retention of the *dominium directum*, in consideration of a large sum paid over at once. It may be very easily believed that such valueless dues as the annual tribute of a pair of spurs or a common wild flower would be scarcely worth the trouble of demanding, so that the king eventually lost his power over the Crown vassals, and the Crown vassals theirs over the people. It would not be difficult to point out numerous minor differences between the systems of Feudalism as we find them in the two countries, but their similarities are far more strikingly noticeable. The same abuses which called for the statute of *Quia Emptores* in the reign of Edward I., induced Robert I. to transcribe this enactment into the Scottish Code;[2] and the same reluctance to allow too many facilities for alienation which brought into being the statute *De Donis*, introduced,[3] though much later, into Scotland, a system of entails. Moreover, the same struggle between the courts and the landlords, which led to the *Fiction of Common Recoveries* in England, took place in the Northern Kingdom, though with other and more salutary results, as we shall now briefly demonstrate. About the period when *De Donis* was becoming an act in the English Statute Book, there was in Scotland no commerce worth mentioning to cause much

[1] Dalrymple's Essays, *Feudal Tenures*, 2nd ed., p. 34.
[2] Id. *Ibid.*, p. 85. [3] Id. *Ibid.*, p. 138.

competition for landed property; and where the Scottish law supported an execution by apprisings, the Scottish executive was too feeble to enforce it. At length an increase of national wealth and trade, and a consequently brisker market for landed property, prompted the heads of great families to adopt measures antagonistic to any alienating tendencies in their successors. Even at the beginning of the seventeenth century entails were not so strict as to interfere with the claims of creditors, or to defy the evasive efforts of tenants for life. Soon after, however, people began to insert prohibitory clauses in their settlements, which put an end to the heir's powers to alienate the estate or charge it with debts. These deeds caused so much hardship to creditors who had lent their money in ignorance of the limited nature of the borrower's powers, that the judges decided to uphold all claims for debt in spite of the terms of the settlement. Though no legislative measure like *De Donis* was passed,[1] the outcome of this protracted struggle (for landed proprietors carried it forward by means of different devices for some time to come) is apparent at this very day by the public registration of mortgages in Scotland—a system which might long ago have been well extended to England,[2] where "tacking" and "consolidation" have not unfrequently ruined innocent mortgagees.

Turning now to Celtic Scotland, we shall find at the outset, whether we follow the fortunes of the Northern Picts or the Dalriadic Scots of the Western Highlands, the same primitive tribal customs of land tenure, agriculture, and magistracy as we found in our study of Irish history. Then, as time goes on, these tribal usages peacefully yield to some modified form of feudal economy, in which, however, the old patriarchal polity still preponderates. And here let us note a curious phenomenon in the contrast between what followed the severe

[1] The statute of 1685 (cap. 22) sanctioned entails, but took care that when any deed of entail took place the public should be cognisant of the proceedings.

[2] Mortgages on land have to be registered in Middlesex, Yorkshire, or Kingston-upon-Hull.

measures used by a conquering host to enforce its adoption amid the alien people in England, and the peaceful processes by which it became a large factor in the national economy of Scotland. In the former case we should have expected to find the results confused and discordant; in the latter a less unsatisfactory outcome might have been looked for, whereas in reality events were just the reverse.

When we read in the pages of Highland history of the internecine struggles of the clans; when we still traverse large areas of rock and heather, the inhabitants of which bear one common patronymic; when we note the devotion of the Highland tenantry to their respective chiefs;—there is no need to inquire further if a feudal system has either put an end to, or even completely blended with, the old tribal polity of the Celt. Macaulay in these words sums up the situation at this particular period of Scottish history,—the result of this unnatural though peaceful fusion of two antagonistic economies:—

"There was one inexhaustible source of discontents and quarrels. The feudal system had some centuries before been introduced into the hill country, but had neither destroyed the patriarchal system nor amalgamated completely with it. In general he who was lord in the Norman polity was also chief in the Celtic polity; and when this was the case, there was no conflict. But when the two characters were separated, all the willing and loyal obedience was reserved for the chief. The lord had only what he could get and hold by force. If he was able, by the help of his own tribe, to keep in subjection tenants who were not of his own tribe, there was a tyranny of clan over clan, the most galling perhaps of all forms of tyranny." [1]

There was no national feeling of reverence for the Scottish sovereign; and when some unpopular monarch, flying from the rebellious interference of his Lowland subjects, took refuge amongst his so-called faithful Highlanders, he did so, not because the plaid covered a heart loyal to himself, nor yet because the clansman's feudal lord happened to be his adherent, but for the reason that the chieftains had been won over to the royal

[1] Macaulay's *History of England*, c. xiii.

cause either by promises of plunder or other equally sordid motives.

Before the introduction of feudal tenures the free tribesmen pastured their flocks on the mountain commons, and distributed what little arable land there might be amongst themselves. The hereditary chieftains alone possessed individual ownership and cultivated their lands on the English villeinage system. The payments in kind were distinguished under the heads "can" and "conveth," the former resembling the Roman system of the vectigal, the latter the Anglo-Saxon hidage charge, only it was payable for the support of the chief instead of the defence of the nation. The feacht and sluaged were somewhat similar to the knight service of the Norman, and, like the latter, became eventually converted into a money tax on each davoch of Scottish land.[1]

In these few features we may trace the first incipient growth of a feudal polity. Long after, even to this very day, we can see how very partial must have been its adoption even during those years when it flourished most. Whether we picture the Highlander's formation in battle array,—as, for instance, in the onslaught of the clans at Killiecrankie,—or the miniature court life enacted in every fastness which constituted the head-quarters of a separate Highland chief, or the farmer cultivating his land under the still existing usage of the steel bow, we find proofs that the clansman, in peace or in war, in the cottage as well as in the castle, had never entirely dissociated himself from the primitive civilisation of tribal days.

The results of our investigation would seem, then, to be that the Teutonic family, though more capable of adaptation to Feudalism than the Celtic, is not so wedded to it as to be absolutely inseparable. When altered circumstances, such as a freer range of country and complete immunity from outside molestation, do not require the union, the Antipodean Teuton shakes himself free from feudal influences, and regards the old system with much the same sentiment as his kinsman of the parent country regards old oak furniture or the ornamental pottery of a bygone century.

[1] Coch. Patrick's *Mediæval Scotland.*

## CHAPTER II.

### MINERALS AND MINES.

It will be remembered that, when examining the peculiar nature of mediæval seignorial rights, we briefly touched on the intricate question of mineral ownership.[1] It is now proposed to examine more closely the history of British mining, especially where it is most nearly connected with the Landed Interest.

In our last chapter we contrasted the Feudalism of the Celtic element in these islands with the Feudalism of the Teutonic element. Perhaps the preference of the Celt for a tribal, and of the Teuton for a manorial, polity is nowhere more accentuated than in the diversity of mining rights in various parts of this country. In its hilly districts, mining customs and laws are very different from what they are on its plains; and since it was in the least accessible spots that the Celt found a refuge when driven off by the Saxon, it seems as though his ethnic proclivities would survive there if anywhere.

Now, though Cornwall was one of the chief sanctuaries of the fugitive Britons, and though, as we have demonstrated earlier in this work, a tribal economy is clearly visible throughout the Cornish stannary laws, the early history of the tin industry is also concerned with a foreign mining element, so that it would not be wise to lay too great stress on any Celtic survivals in this direction. This drawback does not, however, apply in a study of Derbyshire lead-mining, where a tribal economy is quite as accentuated. And, indeed, this latter

[1] *History of English Landed Interest*, Part I. ch. xvi.

industry bears a very close resemblance to that of tin-mining, not only as regards its antiquity, but also in its laws. Pliny the elder, writing at the commencement of the Christian era, describes the output of lead in Britain as so large as to require legislative restriction; and though he may be alluding to some other district, there is strong probability that he speaks of Derbyshire, since several pigs of lead are still in existence, found in Derbyshire and bearing Roman inscriptions.[1] One at least of these must have been contemporaneous with Pliny, since it carries the inscription of his Imperial master, Tiberius Claudius. Numbers of mountainous districts in this county have the same name, "Bole Hill," and bear witness to the loose stone erections which were built in their western sides for prehistoric smelting requirements.

Coming to Saxon times, we find plenty of evidence corroborative of a large mining industry in this part of central England. In A.D. 714 the dues from the mines at and near Wirksworth were applied for the support of the Repton Nunnery, and the abbess sent a sarcophagus of lead to Croyland for the interment of St. Cuthlac, a former inmate of the Repton institution.[2] In 835 another abbess (Kenewara) gave a grant of the Wirksworth mines to Alderman Humbert, with the proviso that he should pay annually 300 shillings out of its profits to the Archbishop Ceolnoth for the support of Christ Church, Canterbury. From ecclesiastical possession, the lead-mines, probably after the destruction by the Danes of the Derbyshire monasteries, at any rate by the time of the Conquest, seem to have passed into the Royal control. Domesday Book mentions three mines at Wirksworth, and one each at Crich, Ashford, Bakewell, and Matlock, as belonging to the king. In fact, all the lead works in Derbyshire mentioned in the Survey seem to have been situated in the Royal demesnes, and to have been in use. From the Elizabethan records we discover that Peveril Castle, at Castleton, known as the Castle of the Peak, and supposed to have been built about the time of

[1] Pilkington's *Derbyshire*, 2nd ed., p. 96.
[2] Id. *Ibid.*, p. 99

the Conquest, was roofed with Derbyshire lead.[1] One or other of the earlier Norman sovereigns must have granted this part of England, together with the title of Duke of Lancaster, to some favoured subject; and the Derbyshire lead-mines would thus have passed for a time into private seignorial hands, until in the reign of Edward IV. the Duchy, with its jura regalia, once again became Crown property.

From the Conquest to the middle of the fifteenth century we have little information of the Derbyshire lead industry; and when next we examine the records, the mineral duties of workings north of the Trent are found to be leased by the Crown to landed capitalists, such as Richard, Earl of Warwick, and John, Earl of Northumberland. In 1580 the mineral royalties in the Wapentake of Wirksworth are in lease to Messrs. Warren and Skelton; in 1609 to Gilbert, Earl of Shrewsbury; in 1624 to Robert Parker, next to David Ramsay, then to Edward Vernon. The length of these leases varies, that to Lord Warwick being for forty years, that in 1624 to Robert Parker for thirty-one years, and that in 1664 to Edward Vernon only for seven years. The terms of letting also differed, Robert Parker paying an annual rent of £72, as well as £1 6*s.* 8*d.* for the barmaster's salary, and Edward Vernon paying £144 per annum, together with £2 13*s.* 4*d.* for the barmaster's salary. At the death of Charles II., the revenues from the Duchy of Lancaster became the dowry of Queen Catherine, who leased the lead mines in the Wirksworth Wapentake to Robert Freeman for thirty-one years.

In the century now under discussion we find Elizabeth, widow of Hugh, Lord Clifford, in possession of two-thirds of the mineral duties, office of barmaster, etc., which she obtained as a grant from Denzil, Lord Holles, and other trustees of Queen Catherine. These she leased to Mr. James Milnes and certain individuals for a term of three years. A certain Mr. Rolls obtained a lease in 1753, and in 1809 Richard Arkwright, Esq., succeeded Mr. Rolls by purchase; and the lease of the mineral dues from the Duchy of Lancaster for the Wapen-

[1] Pilkington's *Derbyshire*, 2nd ed., ch. iii.

take of Wirksworth remains in the possession of this latter gentleman's family to this day. In the other lead-mining district—viz., that of the High Peak—the lease of mineral duties in the Duchy of Lancaster from about the beginning of the seventeenth century to the present day has been vested in the hands of the Dukes of Devonshire.[1] The Crown claims all the minerals under lands comprised by the townships of Castleton, Bradwell, Hucklow, Winster, Moniash, Taddington, and Upper Haddon, as well as in other parts of the hundred of the High Peak, belonging to the Duchy. But in the Wapentake of Wirksworth some ancient freeholds in Eyam are not included in the Crown lands, owing to a charter granted by King John whilst Earl of Mortaigne, and previous to his being created Duke of Lancaster.[2]

So far we have only examined the *seignorial* rights over the Derbyshire minerals; but what we are most interested in at present is the *popular* rights, which still survive. In this direction only can we expect to find any traces of the old Celtic tribal polity. We shall now endeavour to show that, as was the case in Ireland, the manorial system introduced by Feudalism is largely intermixed with those popular rights which owe their origin to an earlier economy.

Answering to that Parliament of twenty-four stannators, which, with its Speaker, administered justice in the Cornish mining districts, we find in Derbyshire twenty-four lead-miners, who, with the stewards and barmasters, compose the Great Barmote Court of the Derbyshire district. From the times when the Danes worked the Odin mine,[3] on the road from Chapel-le-Frith to Castleton, to the beginning of the seventeenth century, the lead-miners handed down by word of mouth from generation to generation their ancient customs and privileges. From the superstitious days when the divining rod was in general use, and it was a crime for men to whistle over their

[1] This historical sketch of the various leases is taken from Mr. A. Stokes' *Lead and Lead-Mining in Derbyshire*, a paper read before the Chesterfield and Derbyshire Institute of Mining, Civil, and Mechanical Engineers, June 3, 1880.

[2] Id. *Ibid.*

[3] Pilkington's *Derbyshire*, 2nd ed., p. 98.

work, for fear of scaring off the ore, to the time when Edward Manlove embodied the old customs in verse, we have scarcely any evidence of popular rights.

We quote the following customs relating to the minery of the Peak district, from Mr. Hazlitt's work on the *Tenures of Land and Customs of Manors.*

"The bare master, and the lord, and the steward shall hold courts on the minery when he list, two great courts in the year. And if any miner either be attainted for stealing of ore, first he shall be amerced v. *s.* iiij. *d.*, of the which iiij. *d.* the bare master shall have. And if he be again attainted, he shall be amerced xviij. *d.*, of the which viij. *d.* the bare master shall have. And if he be attainted the third time for stealing of mine, he shall be taken and smitten through the palm of the hand with a knife up to haft into the stoure, and there shall stand till he be dead, or else cut himself loose, and then he shall forswear the franchise of the mine. And if any man be taken by occasion of any article belonging to the mine, he shall abide in the bare master's keeping; and if he will be mainprised, in pain of a hundred shillings to be brought again before the steward at the next court of the mine. And if he that is so mainprised be attainted of felony in the court, the steward shall do by him as the law will upon the same place; and, if he will, put him on the miners. And each trespass of oaths and of bloodshed he shall be amerced to v. *s.* iiij. *d.*, the which iiij. *d.* the bare master shall have. If any other trespass be done upon the minery, it shall be fared to ij. *d.*, and that shall be paid to the bare master the first of a fermont, or else the ij. *d.* aye be doubled, and so from day to day, till it come to v. *s.* iiij. *d.*; and then the bare master shall have iiij. *d.*, and the lord v. *s.*"[1]

In 1601, *The Articles and Customs of the King's Field in the High Peak in Derbyshire* was the title of the first printed treatise on the subject, and in 1645 Manlove's verses appeared.[2]

[1] W. C. Hazlitt, *Tenures of Land and Customs of Manors*, p. 241 (quoted *ex M.S. penes* Francis Ferraud Foljambe, Arm.).

[2] Manlove's Poem, 1645.

Here we read that—

> "By custom old in Wirksworth Wapentake,
> If any of this nation find a Rake
> Or Sign, or leading to the same; may set
> In any Ground, and there lead ore may get."

But not everywhere, for

> "Churches, houses, gardens, all are free
> From this strange custom of the Minery."

And hence we find that frequent additional charm to the landscape of the Derbyshire uplands—viz., the garden or orchard—since freeholders, in order to protect their privacy and keep the miner out, had merely to plant a few common fruit trees, and the popular rights lapsed.

We also read in the same author that the miners' title to possession could not be made good without certain conditions, which guaranteed the *bonâ-fide* nature of the operations undertaken.

> "A cross and hole a good possession is
> But for 3 days, and then the custom's this
> To set down Stowes, timbered in all men's sight,
> The such possession stands for 3 weeks right."

After that period further proofs of the presence of the ore and its actual working were necessary, or the site had to be made good again and surrendered.

Nor were even these popular rights retained without frequent struggles between the industrial and the seignorial classes.

In 1287 the miners petitioned Edward I. to put an end to the attempts of freeholders to prevent the trespass on their demesnes. The king took their petition into consideration, and commissioned the county sheriff to convene a meeting of experts to inquire into the matter.[1] This inquisition confirmed the rights of the miners, the jury finding that all they claimed was due, not by charter, but by immemorial custom. In 1681, *The Compleat Miner*, by Thomas Haughton,[2] embodied

[1] Pilkington's *Derbyshire*, 2nd ed., p. 100.

[2] These works have been handed down as heirlooms from generation to generation of miners. I purchased one myself from a miner of Longstone, whose use for it had been dispelled by the Acts of 1851, 1852.

these rights in a series of fifty-nine articles. It would not come within the province of a work of this description to relate in detail all the various laws and customs which obtained in these old courts. Later on, many of their most cherished clauses became obsolete, and ill suited to the modern appliances for lead-mining; so that in 1851 a Mineral Courts Act was passed, establishing jurisdiction over the King's Field within the hundred of High Peak, and in the following year "The Derbyshire Mining Customs and Mineral Courts Act" performed a similar office for the King's Field within the soke of Wirksworth and manors of Crich, Ashford, Stoney Middletyn, Eyam, Hartington, Litton, Peak Forest, Tideswell, and Youlgreave; excepting, however, those ancient freeholds of Eyam which came under the purview of King John's Charter already alluded to. By these Acts the steward must be either a solicitor or barrister—a wise provision, considering that his duties are both ministerial and judicial. Under him is a deputy steward.

The barmaster, who was formerly chosen by the miners and merchants, is now appointed by the lessee of the mineral dues, his election requiring confirmation by the authorities of the Duchy. His office is to select persons to serve on the grand jury, measure ore, collect dues, supervise finances, etc.; while his deputy has to serve the summonses, attend views, keep accounts, measure ore, and collect dues. The grand jury consists of experts in mining matters resident within the jurisdiction of the Great and Small Barmote Courts, who attend the courts, go down and view the workings, and advise the miners.

The royalties, or dues payable to the Crown, were not paid by weight, but so much per dish. This brazen vessel, which can hold fourteen pints of water, was given to the miners and lead merchants by Henry VIII., and is still to be seen in the Moot Hall of Wirksworth.[1] That in the High Peak district contains fifteen pints, showing one out of many differences of custom in the two hundreds. The industrial classes are great sticklers for established methods, and hence we are not sur-

[1] Pilkington's *Derbyshire*, 2nd ed., p. 101.

prised to find that in one district the ore is levelled with the top of the dish by the hand, in the other district by a small piece of wood.[1] But this diversity of custom, much of it at first sight trivial and insignificant, bears a far larger importance when we trace it back to the days when neighbouring tribes met rarely; and then not for the purpose of interchanging ideas, but with arms in their hands for a trial of strength.

To the times of ecclesiastical sway over the minerals, we date back a curious superstition on a par with that we have noticed as prevalent among the miners anent whistling. The people ignorantly imagined that the ore was a living organism; and the clergy probably shared this superstition, for we decline to accuse them of dishonestly trading on it. At any rate, they extracted therefrom no little profit to their own pockets. Tithe was only legal on such products of the earth as renewed themselves annually, and this definition was considered by the clergy to include the lead ore in the vein—a delusion which remained universal up to a very late date. In 1608, Richard Carrier, clerk in holy orders, of Wirksworth, had to make a complaint about the withholding of tithe by the lead-miners. By this time the tithe-owners could show a very strong prescriptive right to this due; and Richard Carrier, omitting all mention about the supposed growth and renewal of ore in the vein, based his claim on immemorial custom. Not so the lead-miners, who at first disregarded all subpœnas to appear, and afterwards petitioned the Privy Council to stay the suit in the Exchequer Court, and bring it, as well as that of certain lay impropriators, before the Council, in order that they might put in a defence based upon the illegality of tithe demands on products of the earth which could not grow. Foiled here, they continued the struggle by means of every artifice in their power. The tithe proprietors petitioned the king, and the king referred the dispute to the Archbishop of Canterbury and Lord High Treasurer, who confirmed the verdict of the Courts. For a time the miners seem to have submitted, and then the struggle burst forth again. They introduced a bill into Parliament, which was rejected, and then promoted new suits for the

[1] *Lead and Lead-Mining in Derbyshire*, A. H. Stokes.

purpose of questioning the former decrees. The case was next referred to the decision of the Attorney General, whose ruling was on the whole confirmatory of the former decisions; but the miners continued to raise objections of a technical nature, such as distinctions drawn between the tithing of cope dishes and that of lot dishes. The struggle was one of giants, for no less than 20,000 miners signed the petitions; and it is doubtful if their case, mainly based on the legal definition of titheable products, was less strong than the proprietors', who evidenced their claims by many ancient deeds, accounts, leases and other records, extending through a period of history covered by the reigns of Edward II., Edward III., Richard II., Henry VI., Edward IV., Henry VII., Henry VIII., and Edward VI. At length the matter was settled by some sort of a compromise, whereby in 1778 Richard Tillard, vicar of Wirksworth, agreed to accept as tithe one-fortieth of all ore got within his parish, and reserved to himself the tenth dish on every new freeing.[1]

Mining rights in the primeval forest are also likely to show Celtic idiosyncrasies, for in all probability their shady depths would have offered another sanctuary for outlawed Britons. Thus there seems to have been in the Forest of Dean somewhat similar rights asserted by the free miners as those claimed in Derbyshire and Cornwall. Here, too, the ground had been disturbed at a prehistoric date, and the native iron extracted from the "scowles" by Roman ironfounders. This forest in Anglo-Saxon times seems to have been one of those uncultivated tracts of country belonging to the Folcland, but over which the sovereign possessed magisterial rights. As we might expect in a district which had already attained considerable importance before the days of tribal unity were over, popular rights were more accentuated than in other parts of England brought

[1] The tithe due to the vicar in 1769 was £1,000 per annum; so the matter was worth fighting over. Tithe on the lead still survives, but dwindled down to such small proportions as hardly worth either party's while to become unneighbourly over it.

This information was obtained from a MS. lent me by Mr. Isaac Shimwell, barmaster at Longstone, entitled *Abstract of a Decree in High Court of Chancery Concerning the Payment of Tithe of Lead Ore in the County of Derby.*

under man's industrial control at later dates. Save that the Forest was exempted from taxation by Edward the Confessor, there is no record of any exercise of the royal prerogative till Norman times. Then William the Conqueror frequently visited it for sporting purposes, and it is supposed that on one of these occasions he established by law the popular claims in granting the miners their "customes and franchises." The history of the Dean Forest mining is henceforth in many respects almost a repetition of the history of the Derbyshire lead-mining. During the reign of Edward I. popular claims were the cause of a similar agitation in this Gloucestershire district as occurred in the Peak district. The Miners' Laws and Privileges of 1282 was as much the Magna Charta of the western county's miners as the confirmation of their rights by the inquisition appointed in 1287 was of the midland county's miners. The Crown's seignorial claims were henceforth established by a right to one-third of all profits of mining, by the charge of seven shillings for licensing each of the seventy *forgeæ errantes* then in use, by the commission paid to every miner of one penny per load of ore brought to the king's ironworks, and by the charge of forty-six shillings whenever a forge was farmed. Just about the same time as the Derbyshire miners were utilising the printing press to perpetuate their traditional rights and customs, we find a book appearing which embodied the Dean Forest Miners' Laws and Privileges. It appears from its postscript that in 1673 a manuscript preserved in the office of the deputy gaveller was placed in the hands of the printer,[1] and that in 1687 the book itself came out, which, according to the wording of its short introduction, purported to contain a perpetual remembrance "what ye Customes and Franchises hath been that were granted tyme out of Minde, and after in tyme of the Excellent and redoubted Prince, King Edward, unto the Miners of the Forrest of Deane and the Castle of St. Briavells." The book is very similar to those in use in the Derbyshire lead-mining district, and contains the old laws and customs in forty-two sections. These furnished a guide to the officials of the Miners' Court—an

[1] William Cooper, at the *Pelican*, Little Britain.

assembly on all-fours with the Barmote Court of the Derbyshire district. Answering to the steward, deputy steward, barmaster, deputy barmaster, and jury of the former are the constable, clerk, gaveller, deputy gaveller, and jury of twelve, twenty-four, or forty-eight miners of the latter. The rules regulating the court's procedure are couched in the same rude phraseology, and the stick of holly held in the hands of witnesses whilst taking the oath probably dates back to some ceremonial of the Druids. Every man entitled to the mining liberties, and who had obtained the permission of the king's gaveller, might dig for coal and iron ore where he pleased, and carry it forth by any means "except carts and waynes." A third of the profits belonged to the king, whose gaveller was empowered to visit the works every Tuesday, "between Mattins and Masse," to receive the one penny due from each miner. Only persons born and abiding in the Forest were allowed to visit the miners. The various workings had to be kept separate by a stone's-throw, and the property vested in each working might be bequeathed. The fellowship of miners was compelled to supply the Crown with twelve charges of ore at twelve pence per week, or three charges of coal at one penny, which was estimated according to the standard measure called the "bellis"; and in case of dispute three witnesses, termed "hands," were required for any evidence submitted to the court.

Since timber was allowed for the workings, another assembly, that of the Swainmote, was concerned with mining matters, and besides this there was the court for debtors, held at St. Briavel's Castle. The history of the later centuries records the spread of individual rights. Royal grants of manors and castles occur frequently during the reigns of the first three Edwards and subsequent monarchs. The farming of the Forest was given to Sir Anthony Kingston by Edward VI., and the lease of it to the Earl of Pembroke by James I. The inevitable collision between popular and individual rights occurs soon after, with the usual result of a compromise by which seignorial authority, though established, was for a time kept out of sight. The miners, henceforth permitted to dig

ore "by charity and grace," but not by right, raised no opposition to an arrangement which apparently ceded them the substance, and only deprived them of the shadow. They naturally imagined that if they could retain the kernel they might throw away the husk, forgetting that the former was reliant on its outer sheath for protection. But on the first favourable opportunity the landlords reminded them of this unwelcome fact, and the miners found themselves fettered by an arrangement which had transposed the onus of illegality from seignorial to popular shoulders, and left their original liberties entangled in the meshes of the manorial net. That they never forgot their ancient privileges is evidenced by the struggle which took place in the present century. Throughout its fourth decade the Forest Commissioners appointed by the Act of 1831 held frequent sessions with the object of adjudicating between popular and seignorial rights; but all the miners could expect to prove was, that, by the older understanding, they, to the exclusion of every one else, were entitled to mine in the Forest. By this time, however, the "foreigners" were able to show so strong a prescriptive right to Government protection—firstly, on account of the immense amount of capital sunk in the workings; secondly, because ever since 1675 they had carried on such workings without any objection being raised by the free miners; and thirdly, because they had done so with the sanction of the Crown—that the commissioners found their office of adjudication no sinecure. Their decision was necessarily adverse to the free miners, and manorial claims finally triumphed.[1]

In the laws and orders of the Mendip miners we find another instance of conflicting seignorial and popular rights. In the reign of Edward IV. the Lord Chief Justice of England went down into Somerset and presided at a court on Mendip at a place called the Forge, where he summoned all the commoners and the four lords royal of the district to appear. Some ten thousand persons assembled, and agreed to allow their rights to be adjudicated by the four lords of the royalties. The latter

[1] For information concerning the Forest of Dean mining interest I am indebted to the Rev. H. G. Nicholls' *History of the Forest of Dean.*

were ordered to hold two miners' courts annually, composed of a head reeve, or bailiff, and a jury of twelve miners. Inalienable licences were granted to those who desired to "pitch within the forest and brake the ground in what place they pleased." Rules were drawn up for the proper and economical working of the mines, and the seignorial profits were fixed at the tenth pound of "lott lead."[1]

Perhaps the oldest of any native mining industry was that of gold and silver in Scotland. Unfortunately no records are extant regarding operations carried out during tribal times. Since, however, these precious metals were principally found in the mountain glens, we may conclude that they were the exclusive property of the Highland sept—possibly (for their output could have been but slight) set apart, like the eagle's wing, for the adornment of the chief's person.

David I. seems to have shared the Derbyshire people's ideas on the growth of mineral ores, for he devoted a little of all the gold obtained from Fife and Fothry to the monks of Dunfermline Abbey.[2] Whether the ore belonged to him by prerogative, or to the Scottish people, is at least doubtful; but from 1424 this point was set at rest by the grant of the Scottish Parliament to the Crown of all gold and silver mines in Scotland. This concession did not, of course, include the mines of baser metals, and the cautious Scotch statesmen carefully defined a silver mine to be any vein of the ore in which three halfpennies of silver could be fined out of the pound of lead. Notwithstanding this reservation, however, we read of James II. granting a charter of certain lands to the Carthusians of Perth, in which, by express mention, every kind of metal is conveyed. In 1526 certain German and Dutch miners obtained a lease of all the minerals and mines in Scotland, the transaction being confirmed by Parliament.[3] We must bear in mind that the Scots Parliament was far less representative of popular rights than the corresponding assembly in England at this time. Powers of suffrage were confined to those freeholders who were

[1] Report to the Board of Agriculture from Somerset, 1794.

[2] It is possible, however, that it was a form of personal tithes.

[3] *Early Mining Records in Scotland*, Cochran Patrick.

tenants *in capite;* and in the reign of David II. a committee was chosen out of the three estates of the realm, whereby what was already the cream of the Scottish aristocracy was once more skimmed. It is not therefore surprising to learn that this select committee, to whom the most plenary powers had been delegated, divided with their royal master as much of the old popular rights as they could lay hold of.[1] It was, as we have shown, only in the Highlands that the seignorial powers of Feudalism were limited; and it is doubtful if these universal licences to work minerals, so often ceded to foreigners, were of much value in those parts of Scotland where the kilted Celt held undisputed sway. It would be interesting to discover if Eustachius Roche, who received a general grant in 1583 to work all the mines and minerals of the country, to search for hidden ore anywhere and everywhere, and to use for firing and smelting, not only timber out of all the royal forests, but coals and peats that might be necessary,[2] ever attempted to exercise his rights amidst the fastnesses of the clansmen.

When we come to examine the history of coal-mining, we do not find much trace of its early importance, either in England or Scotland. The British name of "glo" for coal, however, would imply its use in prehistoric times,[3] and there was a "coalry" not far from Benwell supposed to have been worked by the Romans. In 852 we read in the *Saxon Chronicle* of the Abbey at Peterboro', that twelve loads of fossil or pit coal were paid to the monks. Then in the *Bolden Book* we have a record of a Norman bishop's grant to a collier of a toft and croft for providing coals for the cart smith of Coundon. The smith at Bishopswearmouth had as much as twelve acres for the necessary supply of iron and coal in his cart manufactory. In the second quarter of the thirteenth century coal begins to be worked in the neighbourhood of Newcastle, those same operations which we have shown in an earlier chapter[4] to have

[1] Hallam's *Const. Hist.*, vol. iii. chap. xvii.
[2] *Early Mining Records in Scotland*, Introduction, Cochran Patrick.
[3] Hull's *Coal-Fields.*
[4] *Landed Interest*, Part I. chap. xvi. p. 211.

jeopardised the safety of his Majesty's lieges passing along the Northumbrian highways. Some *probi homines* of the Third Henry's reign applied to the king and obtained a grant to dig coals and stones in the common soil of the town, without the walls thereof, in the Castle Field, with powers to draw forth and convert them to their own profit in aid of their own fee farm rent of £100 per annum.[1] That it was an article of export, or at any rate of transport by sea, is evident from the allusions to it in inquisitions of the time as *carbo maris*. Towards the end of the thirteenth century the coal trade in the neighbourhood of Newcastle had doubled the revenue of the town. Besides royal grants of coal presumably on the royal demesnes, we have seignorial leases such as that of two collieries near Elswick let by the Prior of Tynemouth to Ada de Colewell for a rent of £5 per annum, and a third at six merks per annum. About the same time, *i.e.* 1333, a coal industry begins to be developed in Lancashire; and Edward III., the Bishop Bury, and other coal proprietors, are granting and leasing the mineral to individuals in various parts of the country throughout the fourteenth century. In the Bishop of Durham's appointment of Nicholas Coke as supervisor over the mines of Whickham and Gateshead in 1367, we have the first mention of the colliery manager.

The intricate legal machinery which regulates the rights of ownership underground began to develop about the middle of the sixteenth century. The most authentic of early records is an indenture preserved in the Register of Dunfermline between the Abbots of Dunfermline and Newbattle, which regulated the working of coal lying along the marches of their respective territories. The restitution of the surface after the exhaustion of the mines is provided for as early as 1555 in the feu charter granted by George, Commendator of Dunfermline Monastery,[2] to certain tenants who were allowed

[1] Green's *Chronicles and Records of the Northern Coal Trade in the Counties of Durham and Northumberland*, A.D. 852–1865, vol. xv. p. 176: *Transactions of North of England Mining Institute.*

[2] *Early Mining Records in Scotland*, C. Patrick.

to dig coals at their own expense on payment to the convent of every ninth load.

During the seventeenth century frequent disputes of a litigious nature occurred underground. The vexed questions regarding the thickness of seams, quantity of coal worked, and rights of proprietorship are very ancient, and the term "sufficiens chiminum" occurs in the mediæval coal leases almost as frequently as its English substitute "way leave" occurs in those of the present day.

There is, however, one case brought into the Durham Bishopric Halmote, on Sept. 13th, 1663,[1] which would seem to prove the entire monopoly of mineral property by the seignorial class. Bearing in mind that the dispute was brought before the private court of one of those great landed magnates who claimed all the wide jurisdiction comprehended in a grant of sac and soc, and making allowance for the differences in manorial rights in various parts of the kingdom, we still possess in this case strong presumptive evidence in favour of seignorial rights to exclusive mineral ownership in every class of land comprised by the manor. The dispute itself was of secondary importance. Briefly stated, the complainants Georgius Vane *et alii* set out in the bill their title to certain seams of coal leased from the Bishop of Durham, lying under *the copyhold lands, wastes, moors and commons*, within the Manors of Whickham and Gateshead, and worked by them in a colliery called the Grand Lease Colliery. The defendants, entitled to certain coal-mines within a freehold tenement, called Brenkburne, had sunk three shafts close to the bishop's boundaries, and were accused of having wrought great quantities of coal out of the complainant's liberty. A commission was appointed by the Halmote to examine the workings and certify the result to the court. Whether the result was favourable to the one party or to the other cannot greatly concern our purpose; but it is of most significant importance to the subject of seignorial mineral proprietorship to note that the bishop's

[1] Green's *Chronicles and Records of the Northern Coal Trade in the Counties of Durham and Northumberland: Transactions of North of England Mining Inst.*, vol. xv., Appendix A.

undisputed title covered the entire coal-field, not only under his demesne lands, but under unenclosed arable ground, copyholder's fields and waste.

Nor was such a seignorial claim contrary to common law. Over and over again must the question of this peculiar form of waste have arisen in the mediæval manorial courts. All barren ground belonged to the lord of the manor,[1] and save him [2] nobody was allowed to dig in any common except for gravel for the highways.[3] A farmer digging for mines was said to have committed waste,[4] and since the statutes dealing with "tenants" applied equally to copyholders,[5] they too, unless especially permitted by manorial custom, were indictable for waste.[6]

Another interesting dispute is that which occurred in the same district four years later.[7] In this case the Attorney-General is concerned for the relators, Sir Paul Neile and others, who were the lessees of the Edderley Colliery, in consideration of a fine of £1,100 payable to the Bishop of Durham, as lessor. Smelt and others, the defendants, were accused of having sunk pits close to the bishop's boundaries, and worked coal which served as a barrier to protect the relator's pits from water damage. The court directed a commission, to be appointed by the registrar, to examine the workings, and the defendants appear to have blocked their levels in such a way as to render abortive the efforts of the commissioners. The latter reported this malicious obstruction to the court, and stated their inability to do more than certify that all the water-courses in the defendant's workings tended towards the relator's colliery. The court thereupon ordered the defendants to clear off the obstructions, and the commissioners made a further examination and report, on which, ultimately, the court based its decision.

[1] Kitchen's *Court Leet*, p. 114.
[2] Even the lord was restricted. Jacob's *Compleat Court Keeper*, p. 260.
[3] Kitchen's *Court Leet*, p. 113.
[4] 9 Ed. IV. fol. 35, and Kitchen's *Court Leet*, p. 335.
[5] Id. *Ibid.*, p. 175.
[6] 26 Hen. VIII. fol. 8, and Kitchen's *Court Leet*, p. 168.
[7] *Transactions of the North of England Mining Institute*, vol. xv., Appendix A.

Briefly, though we have touched on the salient features in the history of English coal-mining, we have no doubt already attracted the attention of the reader to the characteristic which separates the proprietorship of this mineral from that of any other; viz., the absence of all popular rights connected therewith. Landlord may dispute his mineral rights with landlord, and the State may restrict the working of mines as well as curtail the profits of the proprietor; but there are no time-immemorial customs requiring the interposition of popular barmote, stannary, and other technical courts. The mining of coal commenced at a later period than that of lead and tin, when the manorial economy was fully established, and when everything belonged to the lord of the manor that could not be proved by ancient custom to belong to the people. Then, too, coal happened to be in the more level ground of the plain, where the Celtic element had long given way to the Teutonic. The Anglo-Saxon and the Norman pioneers of English and Scotch mining had lost touch with the patriarchal polity, when their excavations first brought to light those "black stones" which have contributed so much to England's commercial wealth.

Before concluding our examination of early English mining, let us glance briefly at the state of perfection to which it had been brought at the period now reached in this history.

An ancient writer,[1] in comparing the climate of Northumberland with that of Middlesex, attributes the less searching effects of wet weather in the former county to "continual warm breaths which come out of its numberless colepits," which with the sea vapours "help to take off the rawness of a cold dampish air." Without stopping to question his theory, we may conclude that coal-mining was almost as widely developed then as now. "The greatest riches of this County," he goes on to say, "lie in the Bowels of the Earth, full of Coal Mines, which supply with Coals not only this Country (where the Fewel is always bought at very easy rates) but a good part of England besides, and London particularly, for whose use many hundred sail of ships have yearly from thence their loading."

[1] *The New State of England*, by G. M., 1691.

"The Coal Pits made use of to get up this Treasure are all Square, commonly 7 or 8 foot in diameter, and timbered from top to bottom, some 30, some 40, more or less, but few above 50 fadoms deep. A great depth for Workmen to go and rake a Livelyhood. And yet here is a Legion of such Men, bred and born to it, that spend most of their Life in this Land of Darkness, in continual Danger (besides that of the Rope) of being crushed below by a Thrust, sometimes in Danger of Water, and some places of Fire. The Way to go down these Pits and to come up is by the help of a Rope, one end whereof being made into a Loop, the Workman gets a Leg and Knee into it, as far as the very Hip. Thus hugging the Rope with one Arm, his Life wrapt up with it, down he goes, while the Rope turns about an Engine made for that purpose. If the Rope fails, as sometimes it does through carelessness, there's an end of the Man and of the Conveyance. By a Thrust is meant the fall of some Earth, or great Stones, whereby 'tis the ill fate of some to be crushed; as it is of others to be drowned by a sudden Irruption of Waters from an old Waste, or otherwise.

"But some Pits at Sunderland in the Bishopric of Durham are subject besides to Fire-damps. So they call an Inflammation of the Air in those subterraneous Parts, which being more than ordinary affected with sulphurous matter, are sometimes apt to catch fire, and then all go's to wrack. It breaks out like a Thunderbolt, carries all away with it higher than the Pits Mouth, and that with a dismal noise, as it were with a Crack of Thunder. In this Case one might compare the inflamed Sulphur to Gunpowder, the Coal pit to a great Gun, and what it brings up with it to Bullets, it comes up with such a force. But when this happens the Workmen foresee it, by their Candles burning blue and blazing more than ordinary. Whereupon they lay themselves flat upon the Ground and let the Meteor work it self above it."[1]

This graphic description of the dangers of seventeenth century coal-mining illustrates better than anything else the improvement in life-protecting appliances which later science has introduced. Though the pits, when compared

[1] *The New State of England*, by G. M., pp. 164, 165 : 1691.

with modern coal workings, were no great depth, the collier's life was at the mercy of innumerable unforeseen accidents, which are now warded off by patent safety lamps, mines' protection legislation, and chemical science.

This same writer gives us an insight into the machinery employed for the carriage of the combustible from the northern coal beds to marketable centres. We read of "the Conveniency of the Navigable River," of the privileges of the Fitters' Company, and the various duties charged on each chaldron of coal sent out. For example, no owner of coals was allowed "to load his ship with his own commodity," but it must be done by a member of the Company of Fitters,[1] to whom sixpence was allowed for every Newcastle chaldron (twice the size of the same London measure) that went out. The town claimed as duty another three-pence, and the king's custom house twelve-pence more. Our author alludes to the Lancashire coal industry, especially emphasising the cannel coal of the Wigan district, as the choicest in England; and its early popularity as a market commodity is evidenced by Arthur Young's famous description of the traffic-damaged roads in this neighbourhood. Our author does not omit to mention, though in the briefest way, the coal and iron mines in the south of Staffordshire and parts of Shropshire, the silver mines of Cornwall, Lancashire, and Durham, the iron works of Sussex, the copper and tin veins of Cornwall, and the lead industry of Derbyshire. Describing the last named, he alludes to Wirksworth as the biggest lead mart in the kingdom. The processes for smelting this ore, though still of the rudest description, had made some progress since the Roman times, when the bole was merely a pile of loose stones on which were strewn wooden piles. These, when ignited, obtained the necessary smelting heat by means of the mountain breezes. Bellows had since then been introduced, which were of so unwieldy a size as to require horse-power. But, at the period we are now dealing with, air-engines had been invented, which were kept in motion by the application of water

[1] The fitters were middle men between the undertaker, *i.e.* colliery lessee, and the merchant.

power; and instead of the timber used for breaking down the sides of the lead veins, gunpowder was coming into use as a blasting agent.

In many parts of England, therefore, landed proprietors were looking to other sources than mere agricultural rents for income, and had, at any rate under the surface of enclosed lands, if not also below the common fields, established their titles to mineral ownership, except in those districts where the miners retained some relics of their old popular rights.[1]

[1] Had space permitted, I should have given a short account of the seignorial and popular disputes over the rights to the Cheshire salt-mines.

## CHAPTER III.

### THE STORY OF OUR ENGLISH WOODLANDS.

FYREBOTE and venison, housebote, ploughbote and vert! How far back must we search in order to find the exact period when these seignorial and popular rights over the wooded portion of the Ager Publicus became separated? When was it that the overlord established his claims to the meat of the dead deer, and the timber of the living oak; leaving to his villeinage their common of estovers?

It would seem that, even after the institution of seignorial autocracy, the people expected to enjoy rights of venery and piscary; so at least the following quotation from King Alfred's Works would imply: "Every man wishes, after he has built a cottage on his lord's lease, by his help, that he may sometimes rest him therein, and hunt and fowl and fish, and use it in every way to the lease both on sea and land, until the time that he earn bookland and everlasting heritage through his lord's mercy."[1]

"In a newly inhabited country," Mr. Brown truly remarks,[2] in his work on Forestry, "the raising of artificial forests is not of primary importance, but the retaining of the natural forests is of ultimate importance." Therefore a period soon ensues when the State interferes with proprietary rights: first, in order to maintain the national timber supply; then, later on, to encourage fresh plantations; and finally, on the necessity occurring for the importation of foreign produce, to control prices by the agency of fiscal regulations. A glance, in fact, at the earlier pages of almost any National Statute Book will

[1] *Growth of English Industry*, etc., Cunningham, vol. i. p. 61.

[2] *The Forester*, James Brown, p. 6.

reveal to us the immense care bestowed by prudent Governments on their woodlands. Sylviculture, in the primitive days of the science, was generally practised on common and waste ground, which naturally came under popular rather than individual jurisdiction. Laws and Civil Constitutions therefore of great antiquity contain frequent allusions to trees. Thus Moses strictly forbade the destruction of fruit trees in an enemy's country, and granted permission, only in cases of great necessity, to destroy other varieties.[1] Servius informs us that it was a capital offence, "alienas arbores incidere." In the Lex Aquilia, the laws of the Twelve Tables, and the writings of Paulus, Cujas, Julianus, etc., frequent reference to arboriculture is made. Thus, nobody might plant trees on the confines of his own ground without leaving a space of at least five feet for even the smallest, lest their shadows should damage his neighbour's property; and if their branches stretched over another's land, they had to be stripped to a height of fifteen feet. By the Prætor's edict, any impendent wood was adjudged as belonging to the landed proprietor whose field or fence it shaded:[2] Solon prescribed the very distances at which trees could be planted. Plato deprecated the theft of fruit and violation of plantations; and the Prætors also ordained that, when a boundary tree fell over the border, both occupiers of the land were entitled to share its fruit.[3]

Strict regulations also governed the practice of planting various trees as boundary marks; and the situation of timber in the vicinity of aqueducts, navigable rivers, and highways was narrowly limited by the statutes, lest injury might be occasioned to public interests.

Turning now to the legislation and customs connected with the arboriculture of this country, we find that the national woodlands, whenever they bordered on inhabited clearings (such

[1] Deut. xx. 19, 20.

[2] Ulpian, l. 1, *F. de Arb. Cædend.*

[3] Ait prætor glandem, quae ex illius agro in tuum cadit, quominus illi tertio quoque die legere auferre liceat, vim fieri veto. Ulpian "De glande legenda." In Pliny, l. 16, c. 5, "glandem" is interpreted as meaning all kinds of fruit besides the acorn.

as were the German villages described by Tacitus), fell at once under State control. Thus, in Anglo-Saxon times, the severest punishment was meted out to wood-stealers, destroyers of young trees, etc., and a law of King Ina enacts that—"If any one set fire of a felled wood, he shall be punished, and besides pay three pounds; and for those who clandestinely cut wood, (of which the very sound of the axe shall be sufficient conviction), for every tree he shall be mulcted thirty shillings. A tree so felled under whose shadow thirty hogs can stand shall be mulcted at three pounds," etc.[1] The wording of this statute also gives evidence of the practice, prevailing up to the time of the Conquest, of valuing the woodlands, not by the quantity of their timber, but by the number of swine which their acorns or mast could maintain.[2] It was, in fact, not before the sixteenth century, that tree planting was undertaken for the profits derived from the timber, and even the protection of the natural growths was not thoroughly taken in hand till Tudor times. The fact is that the ancient forest laws deal with game rather than with timber; and as we believe that hidden amidst the shades of the mediæval woodlands lurk secrets soon to be brought into light by the agency of modern research, we shall deal with this branch of our subject somewhat in detail.

Strabo describes the British woods as the cities and villages of the people. Later on a forest is understood to signify a harbour for wild beasts, and as such was subject to seignorial control. Manwood terms it "the highest franchise of princely pleasure,"[3] thus distinguishing it from the inferior franchises of chase, park, and warren. It is clear, therefore, that what were "the cities and villages of the people" in Strabo's days had, some time or another, been converted into the pleasure resorts of royalty. In fact, when the village community became a manor, and again, when the manorial rights of an oligarchy became subject to monarchical control, the proprietorship of the wooded waste underwent important changes. The uninhabited parts of the country were theoretically under the

[1] *A Discourse of Forest Trees*, Evelyn's *Sylva*, Book II. c. vi. p. 287.
[2] *Domesday Book*, vol. i. fol. 2, p. 5.
[3] *Treatise of the Lawes of the Forest*, John Manwood, 1615.

jurisdiction of the Crown, especially those "territories of woody ground and pastures, replenished with beasts of venery or chase, and containing verts for succour of the said beasts." Unlike parks which were artificially enclosed by pale or wall, their extent was merely defined by metes and bounds. Are we then to suppose that the sovereign, like Alexander Selkirk, was lord only of the fowl and the brute, and exercised his seignorial rights over the hart, hind, hare, boar, and wolf of the forest; the buck, doe, fox, martin, and roe of the chase; and the coney, pheasant, and partridge of the warren?[1] A brief glance at the intricate provisions for policing and administering these sylvan haunts will dissipate any such notion. Their juridical machinery shows the same signs of mixed popular and seignorial control as that of the manors in the open. An offender against forest laws was accused in the Court of the Woodmote, tried in that of the Swainmote, and sentenced by that of the Justice seat. In the first-named assembly, the seignorial officers, known as foresters, bring in their attachments; in the second, a jury of freeholders owe their suit and service to the verderers, and give their verdicts for or against prisoners; and in the third, the vicegerent of royal justice sits in judgment, and with the assistance of experts (also nominees of the Crown) tries "omnia placita forestæ." In the business of these three courts, as well as in the various duties of stewards, verderers, foresters, regarders, agisters, and woodwards, it is not difficult to trace a close resemblance to that partly royal, partly seignorial, partly popular control, which necessitated in the less wooded manors the courts of assize, baron and leet. At any rate, it is quite impossible to reconcile so complete a system of police with a totally uninhabited district; and it is no idle conjecture to assert that some sporting Bretwalda with his armed band must have originally penetrated the primæval forests and established a limited control over the aborigines, both men and brutes, who composed a kind of forest community. The Norman sovereigns, however, in their passion for venery, imagined that they had the power to convert into a "place of recreation," as Coke calls it, any

[1] *Treatise of the Lawes of the Forest*, John Manwood, cap. v. p. 24.

part of the land which they pleased. Though this was a claim immediately challenged, soon abandoned, and ultimately abolished, no infringement of royal privileges over the primæval forest were allowed. To encroach by building on the forest was the offence known as purprestre, and to convert forests into arable land was that of assarting, both being strictly prohibited and severely punished. Even where a right to stub up the trees was obtained by special royal licence, the purlieu, as the land thus cleared was called, remained partially subject to forest laws in the case of all other persons save the beneficiary of the grant. There is an interesting instance of this as late as 1800 described in Young's *Annals of Agriculture*[1] by a writer evidently unlearned in forest laws. A certain Mr. Conyers seems to have been a tenant of assart over 400 acres in Epping Forest. It was, as a purlieu, open to the deer, and subject to certain rights and customs which precluded the possibility of its cultivation. In fact, even for arboriculture it was worthless, because the poor, in exercising their prescriptive rights to the underwood, used to mangle and destroy Mr. Conyers' young trees. He, however, coaxed the people out of these rights by offering to collect for and deliver to them their firing, and having thus freed his land from their trespass soon obtained a fine crop of oaks.

On that portion of the wooded wastes which bordered on the villages, these popular rights were not only more marked, but more detrimental to arboriculture—a circumstance which accounts for the defective legislation of the earlier period dealing with young and improvable woods. Since cattle were allowed amongst the plantations before the trees were sufficiently advanced to be out of their reach, the tendency of the Statute Book was to increase the term during which rights of pasturage were in abeyance; but each fresh Act was carefully worded so as to show that only popular necessities induced the legislature to interfere with popular rights.

As the land became more and more inhabited, the wants of housebote, ploughbote, etc., increased, while at the same time the supply of timber was diminished. The Act, therefore, that

[1] *Annals*, v. 37, p. 50.

had classed as weeds all willows, sallows, osiers, etc., coming under the generic term of "subbois," was repealed; and by 22 Ed. IV. c. 7, the liberty to turn cattle into the forest, or purlieu, always jealously watched by the agisters, was not granted until the young trees had reached the age of seven years.

But even then woods were regarded rather in the light of an encumbrance than in that of a profit; for it has been truly said that planting as an occupation, belongs to an advanced period of society, and as an amusement, to a refined one. But it was soon to become a necessity, because, at the Dissolution of the Monasteries, the new landlords who came into possession of the confiscated manors set the axe at work among their oak groves to such an alarming extent that, as Holinshed tells us, the markets became glutted, and even the jerry-builders gave up using the commoner woods and constructed their roof principals, flooring joists, and boarding work out of solid oak. The planting, securing, cutting, and ordering of woods, coppices, and underwoods is at once brought under the control of the State lawyers, as evidenced by such Acts as 35 Hen. VIII. c. 17, 13 Eliz. c. 25, 23 Eliz. c. 5, etc. By 35 Hen. VIII. c. 17, "for the necessary relief of the whole commonalty," his Highness decreed with the assent of his lords spiritual, etc., etc., that to every acre of coppice containing wood under twenty-four years' growth, there should be left, at the period of felling, twelve "standils or storers" of oak; and in order to protect the "springs" after the fallage, the coppices containing timber under fourteen years' growth were to be fenced off for two years from yearling colts and calves, and for four years from all other cattle; if containing timber above fourteen years and below twenty-four years, for six years. By 13 Eliz. c. 25, § 18, the two periods —viz., two years in the case of yearling colts and calves, and four years in that of other cattle—were extended to four and six years respectively. By 1 Eliz. c. 15 timber of trees one foot square at the bole was in many localities, such as within twenty-two miles of London, within fourteen miles of the sea, and in the vicinity of the great navigable rivers, not to be felled for iron-smelting uses. By 1 and 2 Ph. & M. c. 5,

exportation of wood without licence was an offence punishable with imprisonment, forfeiture, etc.

Popular jurisdiction was evidently still associated with the subject, for the seignorial monopoly over "woods and chases" was not absolute. Even the owner was, for instance, not allowed to cut down timber without the cognisance and permission of the swainmote.[1] If the regarders did their duty, "the surcharge" of the forest had to be carefully inspected, with the due "perambulations" and ancient "metes"; and the Justices in Eyre of the forest might not, without express commission from the swainmote, dispose of any timber.

In order to prevent embezzlements under the subterfuge of cutting down timber for repairs of palings and lodges, browse for deer, etc., all windfalls, rootfalls, dead and sere trees were subject to the inspection of the warders, justices, and itinerants, who could even hale before the courts any individual found damaging the boughs of trees and thickets. The penalties against "assarts" within a forest and without a licence were heavy, but seldom inflicted, and the powers of the swainmote were in many other cases either evaded by the offenders or not enforced by its members.

The supply of timber kept on lessening, notwithstanding all precautions, and Harrison, writing of Elizabethan times, says: "This scarcetie grew, it is thought, either by the industrie of man for mayntayning of tillage, or else through the covetousness of such as in preferring of pasture for their sheepe and greater cattel, do make small account of firebote and timber, or finally by crueltie of the enemies." It increased to alarming proportions during the civil wars, and induced Charles II. to search out some man of learning and position to arouse the people to the danger of the situation.

But here we must break off the thread of our narrative in order to examine the Law of Tithes specially relating to woodland. We find that timber trees were exempt from tithes, if felled after the age of twenty years, but that willows, sallows, and all "silva cædua" (*i.e.*, coppices and underwoods) paid the tenth whenever the proprietor received his nine

[1] *Coke on Littleton*, Ten. Burgage, l. 2, sect. 170.

parts. If, however, any of these were cut for mounds, fencing, ploughbote, or for fuel of the owner within the parish in which they grew, they were not titheable except in so far as the vicar could claim his tithewood. Saving in the case of prescription, all underwood grubbed up by the roots was not titheable; and in some parts of the country, where the beech, hornbeam, maple, aspen, and hazel came under the same category as universally recognised timber trees (like the oak, ash, and elm), tithe was payable until they had exceeded a growth of twenty years. The preconceived notion that tithe was due from nothing unless it had an annual growth was dispelled by a Parliament convened at Sarum, which enforced the tithe charge on all silva cædua before it became timber, including even willow, alder, beech, maple, etc. Custom, however, varied in different parts of the same county; thus, for example, though in the "wild" of Sussex tithewood was not paid for faggots, it was on the downs (always provided there was any which Evelyn thought doubtful). Beech in certain districts, though not accounted as timber, was exempted; and cherry-trees in Buckinghamshire, though adjudged to be timber, were also free. A tree lopped under twenty years' growth was titheable; but if again lopped at any time after that period, no tithe was due. The owner of a fruit tree who had paid tithe of its produce to the parson was not a second time chargeable if he the same year converted its wood into fuel. Where the parson received tithe for hops he could not claim it on wood cut down for hop poles, and any superfluous wood intended for hedges but unused was also exempt. Lastly, though tithe was payable on all kinds of trees in a plantation of mixed timber and underwood, yet if a wood consisted for the most part of timber trees, with some small scatterings of underwood, the latter was free. The tithe-owner was paid either by receiving every tenth cord or tenth acre of wood in a coppice, and in the sale of mast the tenth penny was held to be his legal due.[1]

Resuming our narrative, we find that the choice of Charles fell upon Evelyn, who responded to his sovereign's wish by

[1] For authorities, *vide* Evelyn's *Sylva*, Bk. III. ch. vi. pp. 291, 292.

publishing the *Sylva*. To use his own words, it was a parenesis; to use those of a writer in the *Quarterly Review* of March, 1813, it was "a trumpet note of alarm to the nation on the condition of their woods and forests. It weaned the sporting and gormandising gallants from the court of the Merrie Monarch to the pastime of sowing the seeds of future navies." Their royal master himself set the example of patriotic planting, and filled in some of his own extensive forests with saplings, destined one day to carry Nelson and his sailors into many a glorious victory. Numbers of great landed proprietors followed suit, turning to Evelyn's treatise for designs of woodland and shrubbery and for hints on the habits and culture of trees. But it would be strange if the forest, the garden, and the grove, which add so vastly to the beauties, the comforts, and the profits of land-owning, had been wholly neglected by the country gentry up to this late period. That we know already was in no way the case, for the Renaissance architects regarded the parterre and the terrace as important adjuncts to their designs for basement and storey, and endeavoured to throw out in strong relief, at the same time that they sheltered, their flower beds by a sombre background of evergreen bushes and tree foliage. Then, too, both Worledge and Blith have shown us that it was not for want of materials that the English landlord had hitherto neglected this source of income. English works of instruction cannot be said to have been altogether wanting, for Moses Cooke[1] had published a book of this kind, though more conspicuous for bad poetry than for sound teaching. Hitherto, however, ornamental forestry had been mere architecture in trees and shrubs; and Evelyn was the first of those earth artists, who, with nature's own materials, brought into being, here in England, the ideal landscapes of Claude and Salvator.

But for purposes of profit, owing as we have shown to the conflicting rights of people and lord, wherever a few trees had grown together on the national wastes, scientific sylviculture had made but slight progress. Even if an industrious hus-

[1] *Manner of Raising, Ordering, and Improving Forest and Fruit Trees; also how to Plant Woods*, etc. Moses Cooke, Cassiobury, Watford, 1679.

bandman wanted to stub up a few broom or furze roots, he was liable to punishment at the hands of his landlord. "There are other inconveniences in land besides weeds and trumpery," writes Sir Richard Weston in 1651, "viz., ill tenures, as copyhold, knight service, etc. So that the possessor cannot cut any timber down without the consent of the lord, and when he dies must pay one or two years' rents." He complained that, owing to the destruction of our woods, we had to import boards from Norway, plough staves and pipe staves from Prussia, and were in many places badly off for fuel. Worse still, it was getting rare to see a good tree; owners were continually selling timber and seldom planting substitutes for what they had marketed, and a dearth of materials for ship and house-building was already felt.

Weston did not impute this state of affairs to any defects in the law. "It is well known,"[1] he says, "that we have good laws, but it's better known they are not executed." Moreover, he did not advocate the preservation of timber on soils suitable for agriculture, for he instances land in the neighbourhood of Tunbridge which formerly was wood, but now was let for 30*s.* per acre—a case where to have kept it for wood would have been a loss both to owner and nation. But he objected to the stubbing up of woods on soils only suitable for trees, as practised at Shooter's Hill, where the ground had been reclaimed for nothing more profitable than furze. He wanted to see the practice of a few gentlemen in sowing acorns become more general, and he held up for universal example the diligence of an Essex gentleman, who utilised all his low moorish grounds by planting so many willows that he lopped two thousand annually. Weston considered it wasteful economy to devote good timber for the purposes of smelting iron, and he praised the ingenuity of certain parties who had recently taken out a patent for making iron with sea coal.[2]

From such evidences as these, we are not surprised to read, in the Preface to Evelyn's work on Trees,[3] that it was "intended for the encouragement of an Industry and worthy

[1] *A Treatise of the Husbandry and Natural History of England*, 1651.
[2] Id. *Ibid.*
[3] *Sylva* of Evelyn, *circa* 1660.

Labour, much in our days neglected as haply reputed a consideration of toe sordid a nature for noble persons and gentlemen to busie themselves withal, and who oftener find out occasions to fell down and destroy their woods and plantations than either to repair or improve them;" and a little further on, "For I observe there is no part of Husbandry by which Men commonly more fail in, neglect and have causes to repent of, than that they did not begin Planting betimes, without which they can expect neither Fruit, Ornament or Delight from their labours. Men seldom plant Trees till they begin to be wise, that is till they grow old, and find by Experience the prudence and necessity of it. When Ulysses, after a ten years' absence, was returned from Troy, and coming home found his aged father in the field planting of trees, he asked him, why (being now so far advanced in years) he would put himself to the fatigue and labour of planting that which he was never likely to enjoy the fruits of? The good old man (taking him for a stranger) gently reply'd, I plant (says he) against my son Ulysses comes home. The application is obvious and instructive to young and old."

"Many learned and judicious men," Evelyn says, "had preceded him in this argument,"—as many, at least, as have undertaken to write and compile "vast Herbals and Theaters of plants," such as Ray,—but there were none who had taken any considerable pains to direct and encourage their countrymen in the culture of forest trees, though "small sprinklings" might be found in the works of Gervase Markham, old Tusser, and of foreigners.

For all this, however, as we know from this same author's diary,[1] the land in many places was covered with forest trees, and the demesnes of a few noblemen were rich in floral ornamentation at the period when he wrote. His own ancestral estate is described as "well wooded and full of timber," and the house so sweetly environed "with those delicious streams and venerable woods, as, in the judgment of Strangers as well as Englishmen, it may be compared to one of the most pleasant Seates in the Nation."

[1] *Diary* of Evelyn.

Evelyn himself had in his travels come across, not only abroad, but in England, many an instance of tasteful artificial scenery; and though living as he did before the laws of landscape planting were known to any one except artists, he was an appreciative observer of nature. "The garden and vineyard of Hatfield," he says, "were, besides the house, the most considerable rarety; being well watered and planted." Penshurst stood in a finely watered park, and was already famous for its gardens and excellent fruit. Mr. Tomb's garden possessed "large and noble walks, some modern statues, and a vineyard planted in strawberry borders, staked at 10 foote distances." The Physick Garden of Magdalen College, Oxford, was noted for its canes, olive trees, and wonderful sensitive plant; and the garden of Wilton, "a large handsome plain," with a grotto and waterworks, was esteemed the noblest in England.

But the best of these shrank to insignificance beside what he had seen on the Continent. The Park at Brussels, with its great heronry, divers springs of water, artificial cascades, rocks and grotts; the Jardin Royale at Paris, with its hills, meadows, woods, and uplands (natural and artificial); the whole richly stored with exotic plants; the gardens of the Luxembourg, "an English mile in compasse, enclosed in a stately wall, and laid out into four squares and as many knots, having in the centre a noble basin of marble meere thirty feet in diameter"; and lastly, "the vacant stayrecase, marbles, statues, urnes, pictures, courte, grotto, and waterworks of the Palace of Pitti," at Florence, all dwarfed in his estimation the more simple beauties of artificial scenery at home.

Though his ideas of planting observed no rules, Evelyn was no mean landscape gardener; thus we read in his diary of January 17th, 1653: "I began to set out the wall garden at Sayes Court, which was, before, a rude orchard, and all the rest one entire field of 100 acres, without any hedge, except the hither holly hedge, joyning to the bank of the mount walk. This was the beginning of all the succeeding gardens, walks, groves, enclosures and plantations there."

Often enough he must have longed to remedy defects of taste when he found them, as when he described Lord

Hatton's residence at Kirby, as "a very noble house, built *a la moderne;* the garden and stables agreeable, but the avenue ungraceful, and the seate naked"; or wrote of Suffolk House, that "the new front towards the gardens is tollerable, were it not drowned by a too massie and clomsie pair of stayres of stone, without any neate invention;" and of Hampton Court (much as he admired it), that "All these gardens might be exceedingly improved, as being too narrow for the palace."

On October 15th, 1662, we find the following entry: "I this day deliv'rd my Discourse concerning forest trees to the Society, upon occasion of certain queries sent to us by the Commissioners of His Majesty's Navy, being the first booke that was printed by order of the Society, and by their printer since it was a Corporation."

But Evelyn's *Sylva* was not intended to encourage merely the ornamentation of landed estates, laudable though this object undoubtedly was; it was designed rather to set forth the pecuniary advantages which would accrue to the entire nation from a universal system of careful forestry.

The greatly increased demand for oak, for both ship and house building, as we have already said, was giving a new impulse to arboriculture, and attracting not only the attention of private individuals, but of the Government. Hence the importance attached by the Royal Society to Evelyn's great literary attempt. Plantations for purposes of fuel and timber had been common at the time of the Conquest, had slowly fallen into disuse until the sixteenth century, had then been languidly revived,[1] and were now to receive fresh impetus from Evelyn's treatise. It was not until the beginning of the eighteenth century, however, that any extensive system of arboriculture was practised in Scotland, and it was later still before the Irish devoted much attention to the subject. In France and Germany, however, the scientific culture of woods and forests had preceded, by some considerable period, any action of a similar nature in these islands.

Before Evelyn's book appeared, English arboriculturists had

[1] Holinshed tells us that, in the reign of Henry VIII., plantations of trees began to be made for purposes of utility.

to rely mainly for information on the works of the ancients. These afforded an abundant source of valuable information on all the various processes of nursing, transplanting, pruning, and felling trees. The ground of the seminary for young trees was prepared by the Romans with the plough and harrow, manured, sown with acorns or other seed, and kept both clean and friable with the hoe.[1] The practice, destined to survive till Evelyn's time, of trimming the root fibres, and clearing away the earth whilst transplanting a nursling, was deprecated by Theophrastus.[2] Most of the ancients agreed that the proper time for felling timber was when the sap had ceased to run. Trees, said the same author, should not be cut down till they have borne their fruit, "which must always be proportionably later, as their fruits are ripe later in the year, a third sort not till midwinter." Palladius wished to postpone all felling till after November; Cato, Vegetius, and Columella till the winter solstice, the two last mentioned fixing the time more definitely as between the fifteenth and thirtieth days of the moon's age.

Vitruvius had pointed out, "Quae æris hyberni vis comprimit et consolidat arbores," and had recommended a "kerfe" to be cut around the tree, through the sappy part, to the heart, so that the superfluous juices might run forth whilst it was alive and standing; by which means, as Pliny expresses it, timber will acquire a sort of eternity in its duration. Seneca had also demonstrated that the timber most exposed to the cold winds was more solid and strong than that obtained from sheltered spots; for which reason it is supposed that Chiron made Achilles' spear of a mountain tree, and Homer described Agamemnon's weapon as Ἀνεμοτρεφὲς ἔγχος. It is not so certain that our Anglo-Saxon forefathers were thus experienced, for if we are to believe the pictorial evidence of the Cotton MSS., their practice was to fell timber in the height of the summer.[3]

These hints of classic experts were not overlooked by English writers at a time when it had become of imperative

[1] Rapinus, lib. ii.
[2] De Causis, lib. iii. c. 7.
[3] *Vide* Part I., *English Landed Interest*, p. 105.

importance, on account of our Navy, that timber should be available as solid and stout as artificial means could effect. The historian and naturalist Dr. Plot quoted the opinion of Cæsar that though ships might be made of moist timber felled in the spring, yet they would certainly be slugs, and not near such good sailers as ships made of timber felled later in the year. Plot further cited, as an instance in point, the *Royal Sovereign*, an old warship, which was said to have been entirely constructed of winter-felled oak, and which afforded ocular proof of her stoutness to any one who cared to go and try to hammer a nail into one of her planks.

He also wrote a letter intended to have been presented to James II., in which he called his Majesty's attention to the advantages of felling timber, after the Staffordshire fashion, for the use of the Navy. "I immediately" (he says) "waited upon Mr. Secretary Pepys and Sir Anthony Deane, and communicated the matter to them, who both promised me they would acquaint your Majesty I had so done, and give your Majesty an account of their present thoughts of it; but the former, viz., Mr. Secretary Pepys, received so strong an impression of the usefulness of the experiment, and thought it, after consideration, of that importance, that he desired me, the day following, to consider this subject, and see what might be added to what I had already written in my History of Staffordshire relating to it, and what material objections I made, why this custom of Staffordshire and the neighbouring counties might not be practised here, in the south of England as well as there; and to put all into writing for your Majesty's use."[1]

He goes on to say that in the former district the oak was barked in the spring, when the sap was flowing, and the branches budding, though not felled till the following winter; but in the latter district it was felled in the spring and barked immediately afterwards.

Plot asserts that trees in the spring are pregnant, and spend themselves in the production of leaves and fruits. Under this

[1] *Gentleman's Magazine*, April, 1778.

process they become weaker than at other times of the year; the sap of the felled tree remaining in its pores and putrefying. This breeds the worm, and leaves the timber full of cavities, subjecting it to rifts, gapes, and shrinkage. He agrees with Evelyn, who said, "If you fell not oaks till the sap is in repose, as 'tis commonly about November and December, after the frost has well nipt them, the very saplings, thus cut, will continue without decay as long as the heart of the tree." The Staffordshire practice was therefore preferable, because when a tree was merely barked in the spring and left standing naked all the summer, it became, by being exposed to the sun and wind, hardened; the sappy part in a manner growing as firm and durable as the heart itself.[1]

Unfortunately, as Plot points out, the law[2] forbade the felling of oak at any other time than between the first of April and last day of June, when the sap is up and bark will run; for the reason, he surmises, that were the felling of timber permissible in any other season, the tanners might have lacked their necessary supply of bark. The practice, however, of the Staffordshire foresters fully complied with the intention of the Act, and at the same time insured the utmost durability of the timber. If any legislation on the subject were required, it would seem, according to this writer, as though an Act in a contrary direction had been needed. It was far more troublesome for the forester to fell the hardened wood in winter, and it shortened the period in early spring required by him for replanting the land. But Plot beseeches his Majesty to exclude from the national ship-yard all timber grown in shady and crowded districts, and to rely on such as could be found in exposed situations, such as chases, open fields, and hedgerows, where it would be advantageous to the farmer for the timber to be felled and removed before the spring cultivation commenced.

This was a period of English History when the river Arun would be gorged with native-grown timber on its way to the Thames, for the Woolwich and Deptford ship-yards of the king,

[1] *Gentleman's Magazine*, April, 1778.

[2] 5 Eliz. c. 8, and 1 Jac. I. c. 22.

or waiting to be taken to the Medway for consignment to the Chatham yards, or to be carried westward to those at Portsmouth and Plymouth.[1]

Before we dismiss this important branch of our subject, it is worth noticing that the homely hog played an unintentional but not unimportant part in providing what has been called "England's first line of defence." It was for pig-feed that under the pannage system large areas had, from the earliest times, been devoted to the propagation of the acorn. From this lowly origin many a forest monarch sprang, which came eventually to form a part of those wooden bulwarks to which we have hitherto owed our immunity from foreign foes.

Evelyn, like most enthusiastic lovers of nature, could not bear to see a tree badly treated. Unlike Weston, he was highly dissatisfied with the laws, and would have expressed no horror had the legislature thought fit to revive the long obsolete statute which rendered any one who beheaded a tree, without its owner's leave, liable to the cruel punishment of maiming.[2]

He was very severe against the apparently harmless amusement of "going a maying," and in order to bring it into disrepute, dragged into the light the obscene and pagan custom which originated it. He termed the festive scene on the village green "a riotous assembly of idle people," and the dance of lasses and lads in front of the alehouse, a "drunken Bacchanalia." All this tirade against one of the most picturesque and (whatever its origin may have been) innocent of our national holidays, arose in the great arboriculturist's mind, because once a year a few straight trees were sacrificed as maypoles, and some boughs and leaves stripped off for their ornamentation.[3]

Indeed, he regarded a tree in very much the same light as Arthur Young regarded wheat. Both, in the estimation of their respective champions, were absolutely necessary to the national existence,—the one as a means of defence, the other as

[1] Defoe, *Tour through Britain*, vol. i. p. 204, 7th ed., 1769.

[2] He made some impression on the authorities, as evidenced by 15 Car. II. c. 2, 20 Car. II. c. 3, and 22 and 23 Car. II. c. 7, § 5.

[3] *Sylva* of Evelyn, p. 287.

a means of subsistence,—and the cultivation of both was to minds thus constituted a sacred duty.

Yarrauton, even in the act of encouraging the propagation of timber, evinces a preference for one of our native products which was soon to add more to England's greatness than either wood or wheat. Thus, when advocating an Act of Parliament for the enclosure of all commons, "fit, or any way likely, to bear wood," in the Forest of Dean, for the supply of future wants in our shipping and building,[1] he compares this district to the sheep's back, its iron to the wool, and sets the encouragement of both these commodities before any other advantage to his native country.[2]

Evelyn relates how, in the great expedition of "88," the Spanish captains were under orders, directly the Armada had triumphed over the English men-of-war, to leave no single tree standing in the Forest of Dean. This the author imagined was a precaution prompted by the Philistine policy of compelling every Hebrew to sharpen his tool at his enemy's forge. In the case of the Israelite, it resulted in no weapons of war being found in his possession at the renewal of hostilities, and in the English case it would have diminished our resources for reconstructing the Navy.

It is very probable that the Spaniards did contemplate some such operation, for Sir Richard Weston also alludes to the subject, stating that in Queen Elizabeth's days they sent an ambassador purposely to get this wood destroyed.[3]

Like Arthur Young, Evelyn brought to bear on any improvement of the existing economy which he happened to be advocating, the corroborative evidence of foreign experiences. Both had travelled for purposes of business as well as pleasure. Evelyn held arboriculture in view whenever he opened a foreign book or entered a foreign grove, and to Young agriculture was the motive power which brought into play his faculties of perception. Eventually both came home and published the conclusions to which all their varied experiences

[1] A recommendation soon adopted by the State, *vide* 20 Car. II. c. 3.

[2] *England's Improvements by Sea and Land, p.* 57. Yarrauton, 1677.

[3] *Treatise concerning the Husbandry, etc., of England*, 1651.

had irresistibly led them, for the use of their compatriots. Nor was Evelyn extravagant as times went, in his views on the importance of the national timber supply. He had numerous foreign precedents at his fingers' end, which he cited in force of his arguments. In the Duchy of Luxembourg, no farmer was free to fell a timber tree until he could prove that he had planted another, and in the province of Biscay the law strictly forced every landed proprietor who cut down one tree, to plant three more immediately. In the vicinity of Frankfort a young husbandman, before he was legally entitled to take a wife, had to produce a certificate in proof of his having set a certain number of walnut trees. In some parts of Germany any particularly fertile mast-bearer was under special legal protection from the axe. In both France and Germany the King's commissioners on Crown lands, the Lords' woodwardens on other lands, divided every forest into eighty partitions, so that by felling one each year, no tree was under fourscore years in growth. Even then, an oak or other glandiferous tree was reserved at the distance of every twenty feet, and fenced round at each seeding time, so that its acorns, becoming beaten into the soil by the autumn rains, might be allowed to sprout forth. In a few years these seedlings were fit either to be grubbed up and transplanted, or cut down and used as fuel, or left standing as permanent timber.

It is very probable that the foreign practice of pollarding trees originated at a time when wood for iron smelting had to be found somehow, and when the State forbade the fallage of timber for such a purpose.

Unlike Weston, Evelyn was no advocate of planting trees on barren and exposed sites, but wanted the very best land and the best grown specimens for his purpose. "If I were to make choice," he says, "of the place or the tree, it should be such as grows in the best cowpasture or upland meadow, where the mould is rich and sweet."[1] He did not agree with those authorities who chose a situation in which the young plantations would have to brave the full fury of the north-east wind, preferring an aspect which exposed only the narrow

[1] The grammar is Evelyn's own.

flanks of his woodlands. He considered no tree too old for transplantation, provided it was carefully and scientifically treated, and he relates numerous almost incredible instances where stately avenues had been formed out of ready grown materials.[1]

He was intimate with all ordinary and extraordinary uses to which the constituents of a tree could be put, and he found either in its fruit, blossom, leaf, or wood, a panacea for almost all the woes and wants of human nature. He would relate to the hungry man how Chios sustained a memorable siege by making bread out of mast; and to the weary one how, by collecting the leaves of the beech, he could make the best and easiest of mattresses. He was able to form out of the "dotard parts of the ash tree" both a cosmetic for the gallant, and a sweet and fitting fuel for his lady-love's bedroom fire. He could cure the rider's brokenwinded steed with the fruit of the horse-chestnut, and out of that of the Spanish variety it was possible for him to supply the peasant with a wholesome substitute for beans, to eat with his rusty bacon. Moreover, with a decoction from its rind he could turn hair golden, and with an electuary of its flowers manufacture a preventive of internal hemorrhage. If some farmer asked him where he might get the best case for his cider-mill, he would tell him to go and look in the woods for the rough-grained body of a stubbed oak. Did a friend want clap-boards with which to wainscot his dining-hall, Evelyn could point out the tree where the most curious veining was likely to be found. He could show the scurvy-stricken sailor how, by chewing beech leaves, he might ease his diseased gums; and he could search out for the anxious mother of a ruptured child, some storm-riven ash, and teach her how, by passing the tiny patient through it, she might effect a cure.

In fact, Evelyn omitted no argument whatsoever which might encourage his countrymen to practise arboriculture. He appealed to their charitable feelings by demonstrating how they might benefit the poor in planting fruit and forest trees upon commons and waste lands. He appealed to their artistic senses when he besought "Noble Persons to adorn their goodly

[1] *Evelyn on Forest Trees*, Bk. I. ch. iii. p. 33.

Mansions and Demesnes with trees of venerable shade." He appealed to their selfish aims when he begged them "by all the rules and methods imaginable to convert their too ample enclosures into lawns and ridings for exercise, health, and prospect." He appealed to their commercial instincts when he told them that he had "read of a certain frugal and most industrious Italian nobleman, who, after his lady was brought to bed of a daughter (considering that wood and timber was a revenue coming on whilst the owners were asleep), commanded his servants immediately to plant in his lands oaks, ashes, and other profitable and marketable trees, to the number of an hundred thousand; how he then set to work and calculated that each of those trees might be worth twenty pence before his daughter became marriageable; how that these items would amount to 100,000 francs (or nearly ten thousand pounds sterling); and lastly how he intended it to be given with his daughter for a portion. This was good philosophy," Evelyn adds, "and such as I am assured was frequently practised in Flanders upon the very same account."

Finally he appealed to their patriotic feelings by showing that "there was not a cheaper, easier, or more excellent expedient to advance ship timber, than that in all his Majesty's and their own private forests, woods, and parks, the spreading oak should be cherished, by plowing, and sowing barley, rye, etc. (with due supply of culture and soil between them), as far as may (without danger of the plowshare), be broken up." Like the walnut trees in Burgundy, which, he said, stood in the best ploughed lands, he would have had "the oaks (whose roots derived relief far beyond the reach of their branches) 100 or 50 yards apart." He would have encouraged the needy borderers to cultivate the outskirts of royal and seignorial woodlands by letting them the land on long leases and easy terms; and he pointed out that if all of it were thus held the hearts only of such great wooded tracts would be sufficient for the sporting wants of their royal and noble owners.

Daniel Defoe afterwards elaborated a scheme on these lines for re-peopling the New Forest,[1] and sent it to the Lord

[1] *Tour through Britain*, vol. i. p. 329, 7th edition.

Treasurer, Godolphin, and some steps seem from time to time to have been taken in this direction by the Government.[1]

As edition after edition of the *Sylva* was published, the practice of planting became general. Dr. Balfour founded the Botanic Gardens in Edinburgh in the year 1680, and sites were set apart for the same purpose in more than one of the great towns. Stephen Switzer gave directions for the general distribution of a country seat into rural and extensive gardens, parks, paddocks, etc., in a work entitled *Iconographia Rustica*, published about 1720. "Capability Brown" was busily engaged in designs of landscape gardening on some of the principal English demesnes between 1731 and 1760; and his modern namesake, Mr. James Brown, quoting from Dr. Walker's *Essays*, tells us in his book, *The Forester*,[2] how Lebanon cedars came into Scotland about 1683; how the lime was planted at Taymouth in 1664; the silver and spruce firs at Inverary in 1682; the black poplar at Hamilton in 1696; the horse-chestnut at New Posso in 1709; the Weymouth pine at Dunkeld in 1725; the larch at the same place in 1741; the English elm at Dalmahoy in 1736; and the Norway maple at Mountstewart in 1738. In 1705 Thomas, Earl of Haddington, set to work, and adorned his seat in East Lothian with numerous woods; and in 1733 he published a treatise, in which he asserts that up to the beginning of his century his methods of arboriculture had not been understood in Scotland. The same author tells us that the "wilderness way of planting," with its open vistas (recommended by Evelyn), had been introduced a little before by the Earl of Mar; and Mr. James Brown, from his own personal observations, assures us that though most of the more matured Scotch woodlands of to-day had probably been cultivated about 1730, the date of English sylviculture on the same extensive scale must be fixed some fifty years later.

It seems as though the Scotch foresters of this period were devoting their chief attention to pine woods, while on the less hilly lands of southern England the more profitable hard woods were attended to. Almost the first object which at-

[1] 20 Car. II. c. 3, and 9 and 10 Will. III. c. 36.

[2] *The Forester*, James Brown, p. 6, 1871.

tracted Kalm's attention when, fresh from the pines of his Swedish home, he was sailing up to port in the Thames, were the "leafwoods" which clothed the hills on each side, and later on he especially mentions the absence of firs in either Essex or Herts.[1]

In or about 1750, William Ellis, a gentleman farmer of Little Gaddesden, whom Kalm describes as neglectful of his profession on account of his assiduity for literary distinction,[2] published an important work on arboriculture, entitled *The Timber Tree Improved*, in which the value of, and proper soil for, the different kinds of forest trees are considered; and ten years later Thomas Hill, gardener to Lord Manners, wrote a treatise on husbandry, in which he shows how to prepare land, and raise upon it plants to produce both poles and timber.

In 1760 a Scotch agriculturist raised an alarm that the national fuel supply was coming to an end. The turf and peat from the mosses was, he asserted, diminishing rapidly, and so he implored the landlords to turn their attention to the planting of firs as a more lucrative and less easily exhaustible form of fuel. He pointed out that, by thus utilising a Scots acre of waste ground, there would be, besides a large supply of fuel from the annual thinnings, some 2,050 trees left at three-yard intervals, which at the age of thirty years would be capable of serving a single family as firewood for 20½ years. Almost simultaneously, an Englishman drew public attention to the alarming scarcity of oak for all those multifarious purposes to which it is indispensable. Accordingly, we find about this period that public nurseries for rearing forest trees were established both in England and Scotland. Kalm, describing the market gardening in the London suburbs, talks of gardeners who make it only their business to keep "trás choler," *i.e.* nurseries in which were all kinds of young trees.[3] He particularly notices such about Chelsea;[4] and Miller, one of its inhabitants, published in 1730 a catalogue of trees and shrubs which bear the open climate of England. Boucher, an

[1] Kalm's *England*, Translation of J. Lucas, 1892, pp. 5 and 214.
[2] Id. *Ibid.*, p. 192. [3] Id. *Ibid.*, p. 25. [4] Id. *Ibid.*, p. 90.

Edinburgh nurseryman, wrote at the same period a treatise on the subject of arboriculture; and in 1760 John Webb, seedsman, of Acoun, near West Bridge, edited a catalogue of hardy plants, with instructions for sowing and planting. We have in our possession the list of a certain William Wright, of Leith Walk, for the year 1757, in which he not only advertises the prices of all the commonest sylvan plants, but offers to furnish the nobility and gentry with experienced foresters. The catalogue contains 79 varieties of trees, 174 flowering shrubs and evergreens, besides 26 different sorts of roses, most of the commoner fruit trees, and a few flower roots. Nor are the prices, even if compared with those advertised by modern nurserymen, unreasonable. Fine-grown plants from three to four feet high of the English elm, laburnum, and lime are offered at 4*d.* each; Weymouth pines one foot in height also at 4*d.*; cedars of Lebanon at 1*s.* 6*d.*; deciduous cypresses at 2*s.* 6*d.*; scarlet oaks at 6*d.*; walnuts and sweet chestnuts at 2*d.*; and ash at 1*d.* Other varieties are quoted at so much per one hundred and twenty; thus, Lombardy poplars are 9*s.*; Scots firs, 8*s.* 6*d.*; larch, 6*s.*; silver and spruce fir, 5*s.*; Scots oaks, 6*s.* 6*d.*; Scots elms, 3*s.*; horse-chestnuts, 5*s.*; service trees, six feet high, 10*s.*; and beeches of different sizes, from 6*s.* to £5 per 1,200.

The importance of the timber trade at this period is further evidenced by the inventions for measuring trees. As early as 1730 a certain John Richards, of Exeter, wrote *The Gentleman's Steward and Tenants of Manors Instructed*, in which he described an instrument for estimating the cubic feet of standing timber; and in 1761 John Mordaunt, in *The Complete Steward*, produced tables for computing its measurements.

All this energy was by no means expended for the sake of mere pleasure. A very grave crisis was impending when the timber supply for the national Navy would be found wholly inadequate. As early as 1721 the number of deals imported into England was just under four millions, in 1790 it was close on six millions.[1] The supply of native oak to the dockyards had long been supplemented with foreign stuff. A monopoly

[1] *Annals of Agriculture*, vol. xviii. p. 34.

had been established in all naval stores by Scandinavian and Russian merchants, and endeavours were made to stimulate a trade with the American colonies and Scotland by a system of bounties.[1]

In 1771 a committee of the House of Commons was directed to inquire into the state of oak timber throughout the kingdom. It was found that wood for naval purposes had diminished to such a degree that, for fear of alarming the public, the information thus obtained was hushed up.[2] A restraint was put upon the building of ships for the East India Company, and the matter was allowed to rest for twenty years. The eleventh report of the commissioners in 1792 contained still more alarming statistics, and from every county came the same evidence of an approaching timber famine. In six of the royal forests four-fifths of the trees fit for naval purposes had disappeared between the survey of 1608 and that of 1783. At the accession of George III. in 1760, the tonnage of the Royal Navy had been 321,104 tons; in 1788 it had risen to 413,667 tons, and twenty years later it had nearly doubled itself. It was also recognised that the area of the royal forests, enormous though it was, could not cope with the demands of the national ship-builders. Over 50,000 loads of oak were annually required for the royal dockyards, and four times that amount for all the shipping of the country. The estimated area of the Crown woodlands did not much exceed 100,000 acres, and over 400,000 were required. The Government passed one or two measures to promote the enclosure of wastes[3] for purposes of sylviculture, and by the instrumentality of the Board of Agriculture asked information on the subject from the farmers. Some one or other recommended that an area of 70,000 acres in the royal forests should be cleared, enclosed, and planted with acorns at a cost of £38,500; and some one else recalled the fact that when in 1700 a similar suggestion had been carried into effect on a smaller scale in the New Forest, the

[1] 3 and 4 Anne, c. 10; 12 Anne, st. 1, c. 9; 8 Geo. I. c. 12.

[2] *The Gentleman's Magazine* and *Annals of Agriculture* teem with articles relating to this crisis.

[3] 29 Geo. II. c. 36; 10 Geo. III. c. 42.

keepers allowed the young trees to be eaten by rabbits propagated for their own profits.

But the necessity was too immediate for any such procrastinating remedies. Save in the case of some half-dozen great landowners, such as the Dukes of Devonshire, Norfolk, Portland, and Newcastle, etc., no systematic plantation of oak timber had taken place for sixty years; while the enormous price of oak bark, which had risen in 1813 from £5 to £20 per ton, was inducing landed proprietors to cut down all the young saplings they could lay their hands on. A heavy tax on the importation of foreign timber, especially deal, encouraged the plantation of the fir and larch, and operated as a bounty on the consumption of British oak. With a duty on European timber, which during the war had risen from 6*s.* 8*d.* to 65*s.*, it was of no use for our Admiralty to look for shipbuilding materials anywhere but in the Colonies. Reduced to such straits, they could but long for the enemy to venture out of port in order that they might refit their battered fleets by means of captured prizes.[1]

It may well be believed that the public had begun to recognise and appreciate the services of the forester, and that admirable Society for the Encouragement of Arts, etc., about to be frequently alluded to in these pages, offered, in the spring of 1791,[2] premiums and prizes for every branch of arboriculture. These were a gold medal and silver medals for acorn sowing, for raising oaks in long-standing woodlands, for information on the habitat and cultivation of the oak; and similar, though less important, rewards for the arboriculture and observation of other forest trees.

It was high time that some encouragement was bestowed on the science. Arthur Young, who never allowed a piece of ornamental planting to escape his favourable notice, eulogises the many beautiful woodlands met with in his northern tour,[3] but describes the timber south of a line drawn from

[1] The first report of the Commissioners of her Majesty's Woods and Forests and Land Revenues, June 13th, 1812. Vide *Quarterly Review*, Art. 1, No. xix., 1817.

[2] *Gent.'s Mag.*, 1791, p. 443. [3] *Six Months' Tour*, etc., *passim*.

Gravesend to Bridgend as "stripped like Maypoles, with only a little tuft of leaves on the top."[1] This is a most barbarous custom, he adds, destroys the beauty of the country, and is absolutely ruinous to timber. It was a practice which either owed its origin to a period when it was unlawful to fell, but not to mutilate trees, or more probably to a mistaken belief that the elm, the principal hedgerow tree in the south of England, is improved by the process.[2] The same writer states that in the counties best adapted for the growth of the oak, not one acre had been planted for fifty acres grubbed up.

Sometimes, in their anxiety to arouse a national feeling for arboriculture, the authorities exceeded the bounds of a wise discretion. Towards the close of the session of Parliament for the year 1789, application was successfully made in the House of Commons to publicly reward Mr. Forsyth, the royal gardener at Kensington, for the discovery of a composition which cured the injuries and defects of trees. It was only another form of those mud plasters recommended for the same purpose by Evelyn, and was no better or worse a specific than mortar, the ingredients of which, together with many other useless elements of the rubbish heap, it contained.[3] It was, however, widely used and strongly believed in. The famous Fairlop oak in Hainault Forest was, we are told, in its old age protected from the public with a fence, and from the ravages of time by a periodical dressing of Forsyth's composition, and a legend nailed on one of its limbs ran as follows: "All good foresters are requested not to hurt this old tree, a plaster having been lately applied to his wounds."[4]

The arboriculturist began about this period to dispute with the husbandman the occupancy of the national wastes. Thus on May 20th, 1791, a writer signing himself "Agricola," addresses the editor of the *Gentleman's Magazine* on the claims of the larch to public consideration. He points out many hilly tracts where it is too steep to plough, and too dry in summer

[1] *Six Weeks' Tour*, etc.
[2] *Annals of Agriculture*, vol. v. p. 142.
[3] Vide *Gent.'s Mag.*, 1791, p. 567.
[4] *Gent.'s Mag.*, Sep., 1791, p. 792.

to sustain many sheep, but where the larch would be likely to flourish. He alludes to the successful experiments of the Duke of Athole, whereby larches planted in 1743 were at the time he was writing eight feet in circumference; and he demands for his protegé, not the room of, but a place beside the oak as being fully as durable for naval purposes, quite as useful for domestic wants, and at the same time capable of growing on such light soils as would not support the oak.[1] Another correspondent of the same magazine calls upon the commissioners to form themselves into a company, invite subscriptions not exceeding five millions sterling, buy all the waste lands, and cultivate them at a profit with oak trees.[2]

Unfortunately all this enthusiasm was expended at a time when the advantages of draining, pruning, and thinning were unknown, and large tracts of young timber perished for the want of the open gutter, handsaw, and billhook.[3] A revulsion of feeling consequently set in at the commencement of the present century, and for some years arboriculture became neglected. Men began to call out for another Evelyn, and one Dr. Hunter responded to the invitation with the best means at his disposal. He brought out a fourth edition of the *Sylva* in 1776, which was said by the reviewers to have revived the ardour which the first edition had excited. It called the squires from their winter season in London, and set them to work once more in laying the foundations of a future Navy. It persuaded them, as Columella and Cowper had tried to do, that God made the beautiful country, and man the ugly town; and that though, as Dr. Johnson gloomily remarked, there is a frightful interval between the seed and the timber which their short span of remaining life could never bridge over, yet the open-air pursuit of tree-planting was more conducive to long life than the close rooms and crowded streets of a town existence. Hunter taught the smaller gentry how planting could

[1] *Gent.'s Mag.*, p. 505, 1791.

[2] Id. *Ibid.*, Dec. 15th, 1791, p. 1190.

[3] Arthur Young, for example, deprecated the practice of pruning. "All sorts of pruning," he says, "for timber trees is execrable."—*Annals of Agriculture*, *vide* foot-note, vol. ii. p. 190, 1784.

be brought within the scope of their slender means. He showed them how to collect their own seeds, and make their own nurseries: he discouraged the transplantation of too matured nurslings, thereby wresting enormous profits out of the grasp of greedy dealers who had encouraged the practice; and he classified in scientific order, though unfortunately he could make very few additions to, the *Sylva's* unarranged enumeration of the trees and shrubs which were indigenous to this island in Evelyn's days.

At the beginning of this century Loudon was the chief arboriculturist, and in such high estimation was his great work on trees that the coloured copies[1] of the second edition were issued at £25 each. When thus under the influence of more enlightened science, arboriculture once again came into favour; the timber planted in the days of Hunter and Loudon had at the date of its maturity to compete in the home market with a formidable supply of excellent foreign materials, and patriotic incentives had vanished with the war-frigate and brig. Still, however, strong personal incentives have taken the place of less selfish sentiments in influencing our landed proprietors to extend their area of woodland. Since the beginning of the century there are, it is true, some 200,000 acres less woodlands in Scotland, but there were in 1877 as much as 734,490 acres remaining. The great Scotch landed capitalists must find it worth their while to plant and cultivate with trees such huge areas of their estates, as, for example, the Duke of Athole's 10,000 acres of larches at Dunkeld, and the 8,000 acres of firs and birch belonging to Lord Mansfield at Scone.[2] In England also many a tenant for life must be reaping the fruits of a foresight which prompted his father to furnish an inexhaustible supply of hurdles and fence-wood for future generations; and the wisdom which provided an impervious shelter from the furious gusts which sweep over the German Ocean must be keenly appreciated by such East Anglian landlords as the Earl of Leicester and Sir Fowell Buxton.

[1] Loudon's *Arboretum et Frutecetum Britannicum*, 2nd ed., 1835.

[2] *Encycl. Brit.*, *sub voc.* "Arboriculture."

Happily the same careful foresight has been applied to the case of the royal forests, whose area and cultivation, up to as late a period as the time of Queen Anne, depended upon the whims and necessities of the reigning sovereign. Their boundaries were largely augmented by the confiscated manors of Henry VIII., and almost as largely diminished by the State necessities of Elizabeth. In Stuartine days large portions of them were sold outright or divested of their timber in order to provide the necessaries of war or the extravagances of royal pleasures. Then the constitutional lawyers of Queen Anne imposed a check upon their alienation,[1] and those of George III. placed their administration under a Board of Commissioners. Finally the latter institution came under the control of the Treasury, and was obliged to submit its receipts and expenditure to the auditors of the public accounts. Out of the wreck of centuries there survive some 125,000 acres, which, with the Scottish Crown Lands, produce an annual revenue of £430,000.[2]

Let us now glance at the modern sources of profit to which the owners of some 2½ millions of woodlands in the British Isles have to look for remuneration.

In 1869 Mr. Brown estimated that there were some 4,000 mining operations, requiring annually 40,000,000 cubic feet of timber.[3] To meet these mining necessities of to-day we should probably have to add half as much again to Mr. Brown's estimate; since the value of the minerals raised in the United Kingdom has risen from about £40,000,000, when he wrote, to close on £60,000,000 at the present moment.[4] The same author sets the requirements of 14,000 miles of railway, for sleepers only, at 20,000,000 cubic feet annually. Now that there are over 20,000 miles, this estimate cannot be less than 30,000,000 cubic feet.

It is of course true that the introduction of steam, though it has facilitated locomotion in these islands, has far more favoured the competition of timber merchants in distant lands. But on

[1] 1 Anne, c. 1.

[2] *Chambers' Encycl., sub voc.* "Woods and Forests."

[3] *The Forester*, J. Brown, p. 7, 1871.

[4] *Vide* Final Report of the Royal Commission on Mining Royalties, 1893.

the other hand its application to machinery, and the consequent invention of the steam saw, has largely benefited the home producer, especially in his capabilities of deriving more immediate profits from the thinnings of young plantations cut up into crate-wood, hurdles, fencing, hop-poles, coopers' hoops, etc., etc.

There is no doubt a fascination in putting each tiny plant into the soil, occasioned by the thought that it is destined to profit and delight posterity; but so practically worthless is the transaction to the operator that in no other instance is there as great a necessity for public encouragement. For such a reason the forestry exhibits in the London Exhibition of 1862, in that of Paris in 1878, in that of Edinburgh in 1884, and in that of London in the present year are to be welcomed as a new and useful departure. So, too, are the examination tests in, and grants of certificates for, proficiency in the theory and practice of forestry established by the Highland Agricultural, the Scotch Foresters' Societies, and the Indian Engineering College at Coopers' Hill. What we still want is a National School of Forestry like that of Nancy in France, and a Government Forestry Board as recommended by the Parliamentary Committee of 1887.

As to the future of arboriculture in this country; we cannot help re-echoing the somewhat extravagant wishes of Mr. Brown on the subject. "Another generation," he hopes, "will see the dark forms of the *Picea nobilis* and the *Abies Douglasii* towering in majestic splendour above the common trees of our woods and plantations, presenting outlines of a truly American character in the landscape; while the *Sequoia Wellingtonia* will stand out above all as beacons pointing out the seats of the wealthier classes of the land, these forming grand contrasts with the many other foreign species spread around and under them. The future of arboriculture is not confined to any one people or nation; it is a universal science, adapted to promote the comfort and happiness of every people in every clime, and to secure rich harvests to the industry of all that will put it properly into operation." [1]

[1] *The Forester*, J. Brown, p. 800, 1871.

## CHAPTER IV.

### THE NEW STATE OF ENGLAND AND THE ALTERED CUSTOMS OF THE RURAL POPULATION.

THE heading to this chapter is the title of a work written at the end of the seventeenth century, from which we have already had occasion to quote when examining English Mineral History.[1] The following preface to the book must have been somewhat startling to the anonymous author's contemporary readers: "'Tis the late Revolution that has given birth to this new Piece of Work; a New Face of Things required a New State of England. And of all the Changes this Kingdom has gone through, as this was the most sudden so it is the most wonderful." The liberal use of capital letters indulged in by authors in those days adds considerably to the alarming effect of this announcement. As long as we confine our attention to subjects concerning the Landed Interest, it will not be out of place to inquire how far the writer was justified in emphasizing the changes that had occurred since William of Orange and Mary his wife had ascended the English throne.

In the forcible language of Scotch jurisprudence the throne had been forfaulted. "Neither abdication nor desertion had caused the vacancy, and no known word in the English language could express the situation as well as that applied by the Scottish Convention. As far as human ingenuity could prove it, the Dutchman and his wife had become the legitimate sovereigns of England and Scotland. The Bill of Rights had probably reassured the better educated that William's Title to the English Crown was a valid one, no less effectually than the three several Proclamations and flourishes of Trumpets at Temple Bar, Cheapside and the Royal Exchange had

[1] *The New State of England*, by G. M., 1691.

reassured the *profanum vulgus.*" At any rate, the bulk of the English rural classes seem to have settled down quietly enough under the new rule, and applied all their thoughts and energies to improving their own individual fortunes. Save by the difference (wide enough, we admit) in the religious views of the late and present sovereigns, there does not appear to have been much in the state of the country to justify our seventeenth century author in adopting so startling a title as "The New State of England" must have been to his readers.

For instance, his account of English weather in 1692 is grimly like that described by Roman writers and that experienced by ourselves in the year of grace 1892. England in the seventeenth century had the happiness of being seldom tried with a long frost in winter, or a long drought in summer: there was, in fact, that equable climate especially favourable to corn and pasture. But, on the other hand, the air was considered nothing like so pure nor the weather so serene as it was on the Continent. "Most part of the winter England" was "under a cloud, often stuffed with fogs, troubled with rainy weather, and (except there happen a frost) but seldom enjoying the sun in its splendour." There was yet another inconvenience; the weather being so irregular as to have changed four times in one day, and this too under the author's own personal observation.[1] It is not, therefore, in this seventeenth century weather-chart surely that anything can be found to justify the writer's adoption of so revolutionary a title as that borrowed by us from him for the heading of this chapter. The clouded nature of the atmosphere at the present day is largely attributed to its intermixture with the waste products of a combustion which fills the nation's purse while it poisons the nation's lungs; yet if our author has painted a faithful picture, the subjects of William and Mary must have experienced, from November to May, weather very like that to which we have to submit.

Again, if we run through our author's topographical description of the English counties, there is very little change to

[1] Id. *Ibid.*, ch. iii. p. 13.

record in their farming characteristics, since Camden wrote of them a hundred years earlier. Sheep were bred in large quantities on the hills and vales of Bucks, Gloucestershire, and Herefordshire, and on the wastes of Norfolk and Suffolk; but the most esteemed fleeces of any, not excepting those of Leominster in Herefordshire, and Cotswold in Gloucestershire, were off the backs of Isle of Wight flocks. Dorset, the Severn Valley, part of Kent, and the champaign country of Lancashire are especially praised for their corn-yielding properties. Essex and Cambridgeshire were the centres of the saffron cultivation; and the soil of the former county was so fruitful as to be able, not only to yield three consecutive years 80 to 100 cwt. per acre of moist saffron, but after that to bear without manure eighteen years in succession a fine crop of barley.[1] Cheshire was particularly famous for its cheeses, Herefordshire for its red-streaked cider apples, Lancashire for its flax, oats and cattle, the north parts of Staffordshire for the sweetest and fattest mutton in England, and Rutland for general fruitfulness. Surrey was a district most fertile about its borders, but somewhat hard and barren towards its centre; graphically described by the inhabitants as "a county like a coarse piece of cloth with a fine list." Much of Cornwall, Staffordshire, and Norfolk was still unenclosed; the last county being celebrated almost as much because of its woodland pasturage for cattle as for the nourishing grasses of its sheep-walks. On the other hand, Northamptonshire is specially mentioned as being more or less split up into individual holdings under the enclosure system. Stourbridge was the greatest wool mart in the kingdom, and Croydon one of the greatest corn marts.

It is, however, in none of these directions that any new departure in the English mode of living can be detected. Let us, then, turn elsewhere, and see if in the customs and manners of the various rural classes we can find that altered state of affairs which inspired the pen of our author.

Perhaps the most unpleasant novelty of the times was the National Debt, which no efforts had as yet been made to

[1] *The New State of England*, by G. M., ch. viii. p. 80.

diminish by means of a "Sinking Fund."[1] This and a standing army were the baneful relics of that costly struggle which had convulsed the land during the greater part of the Stuart period; and which was shortly to involve the financiers of the National Exchequer in those inevitable difficulties occasioned by an unpopular fiscal tariff. The heavy taxation caused by a large standing army, principally engaged at this peaceful period, as Dr. Chamberlaine asserts,[2] "in bridling the proud disloyal humour of certain sons of Belial," induces him to suggest a general revival of the *visus Franci Plegii*. "The great excess in the inferior sort of English" prompts him to demand a re-enactment of the mediæval dress restrictions; while the importance attached to the native cloth industry urges him to uphold a still more unwarrantable interference with the freedom of the subject, by suggesting that the State should extend the compulsory clothing in wool of the dead to the living, at any rate during the winter.[3] Without the heavy pressure of taxation the old dangers, which accompanied the institution of a standing army in the times of the Commonwealth, might have recurred in those of the monarchy. The difficulty and expense, however, of maintaining such costly machinery as a host of armed and trained men renders the sovereign more or less dependent on his subjects, and affords the latter some slight controlling influence over the soldiers. Apart therefore from the increased taxation, the Mutiny Bill did not materially damage agricultural interests. It no doubt drained the rural labour market of its *raw* material; but, as Adam Smith points out, under the older system good ploughmen were converted into bad soldiers, whenever the exigencies of the moment required a temporary army. There is no doubt that one result of the new military system was to prompt statesmen to maintain the legislation dealing with the promo-

[1] Pitt is said to have taken this idea from a treatise termed *An Appeal of the Public on the Subject of the National Debt*, written by Richard Price in 1774.

[2] *England's Wants and Several Proposals very Advantageous for England, humbly offered*, etc. Dr. Chamberlaine, 1689.

[3] Burial in woollen clothes was rendered compulsory by a statute in 1678, which remained in force till 1815.

tion of tillage for the sake, as Dr. Chamberlaine words it, of "rendering more people strong and stout for service of their country."

Where we should most expect to find a new state of affairs would be in the now almost completed transition of the landlord into the landowner. Seignorial jurisdiction had been gradually and quietly exchanged for proprietary benefits; and popular rights, thus rendered obsolete, had been tranquilly ceded for the sake of more tangible emoluments. The private individual no longer retained a monopoly in district government; and instead of the officials belonging to the manorial machinery, the nominees of the State administered justice in the public courts.

The sheriffs, originally chosen as knights of the shire by the suffrages of the people, but since the statute of Edward II. selected by the king out of the list submitted by his Privy Council, had as early as the reign of Henry VIII. ceded their military powers to the lords lieutenant of the counties, though they still possessed juridical as well as ministerial rights; in the first capacity periodically presiding over the Tourn and County Courts, and in the second executing king's writs, impanelling juries, and seeing to the trial and punishment of criminals. A suspicion of the old seignorial jurisdiction lingered in the qualifications of lords lieutenant, sheriffs, and justices of the peace, all of whom had to be members of the landed class. The last mentioned were appointed by the king's commission to "attend the peace of their county," meet every three months at the shire town for Quarter Sessions, and, if summoned by the sheriff, to serve on the grand jury.

The several justices of peace had, once every three months, to certify an account in writing to the high sheriff of the county of their proceedings in rewarding informers and prosecutors, and in punishing offenders against the laws; which account the high sheriff, "within foureteene dayes" after its delivery, had to send over to the justices of the assize for that county, and the latter were to certify it in the beginning of every "terme next after" to the Lords Commissioners.[1]

[1] Orders issued by the Privy Council in 1630.

Two other important officials in county government were the coroner, and the clerk of the market, the former enjoying judicial and ministerial powers only a degree less important than those of the sheriff, and the latter, though principally concerned in the verification of weights and measures, possessing a court of his own in which he kept and held pleas.[1]

The officials of those lesser districts into which the counties had been divided and subdivided from time immemorial had sunk considerably in public importance. The bailiff, who up to the reign of Edward III. was the president of the Hundred Court, had vanished simultaneously with the introduction of the County Court; and save in a few towns, principally in East Anglia, such as Ipswich, Yarmouth, and Colchester, no public officer was known by the name, except those obnoxious but necessary individuals whose degrading duty it is to serve writs.[2]

Here and there, as we have had occasion to mention before, a steward remained to preside over the Court Leet and take the view of Frank Pledge. But after the abolition of the feudal laws they had not the powers, which the following rules and orders, issued by the Privy Council in 1630, gave them: "The stewards and gentlemen, in keeping their leetes twice a year, doe specially enquire upon those articles that tend to the reformation or punishment of common offences and abuses; as of bakers and brewers for breaking of assizes; of forestallers and regrators against tradesmen of all sorts, for selling with under weights or at excessive prises, or things unwholesome, or things in deceipt; of people, breakers of houses, common theeves, and their receivers; haunters of taverns or alehouses; those that goe in good clothes and fare well, and none knowes whereof they live; and those that be night walkers, builders of cottages and takers in of victuallers, artificers, workemen and labourers." Also the headboroughs of the tithing, who as *Custodes Pacis* had formerly possessed powers not unlike those of the modern justice of the peace, had sunk in public importance to a condition but little recognisable from the

[1] *The New State of England*, Part III. ch. vii. p. 71.

[2] Id. *Ibid.*, p. 75.

village policeman of the nineteenth century. Even the short staff and the manner in which it was kept out of sight[1] till absolutely required stamped the headborough as the prototype of that official afterwards created by Sir Robert Peel.

From the Orders of the Privy Council already mentioned, we learn that these petty constables were, in all parishes, to be "chosen of the abler sort of parishioners," and that, because "it is found by dayly experience, that the remissenesse and negligence" of these subordinate officials "is a great cause of the swarming of rogues and beggars, therefore the high constables in their severall divisions are specially to be charged to looke into the petty constables that they use diligence in their offices; and the high constables to present to the Justices of Peace the defaults of the Petty Constables," etc., etc.

The same Council further ordered that "Watches in the night and Warding by day" were to be appointed in every town and village for the apprehension of rogues and vagabonds, and for safety and good order.

It will probably interest our readers to learn that two other old communal officers not only survived then, but have lingered on to the present day. In several parishes in Lancashire, possibly in some also of other counties, the ancient communal herdsman and the two champions or burleymen are important if seldom employed officials. In our own district, for example, where the penfold or pound has long vanished, and the police have relieved the communal herdsman of his task of looking after stray livestock, he as well as the two burleymen are solemnly elected each recurring Lady Day by a small and select conclave of ratepayers.

Under the protection of these various institutions for the prevention, detection, and punishment of crime, our forefathers lived more or less secure in the rural England of A.D. 1700. The deterrent influence which could not fail to be exercised by the sight of the gibbet, pillory, whipping-post and stocks erected in those particular spots throughout the land, where the

[1] *The New State of England*, Part III. ch. vii. p. 78.

people were most accustomed to congregate, and the prominence given to the annual state entry into the assize town of the royal judges on circuit, did more to shield the peaceful country folk from violence than any of the rude forms of police protection then in vogue.

The bulk of the landed aristocracy dwelled for the greater part of the year in their isolated country seats, living in much the same fashion as their fathers before them. There was, indeed, none of the grandeur of the feudal polity. The stewards, chamberlains, and comptrollers of the household had dwindled down to one or two trusted officials. The grooms of the buttery, the purveyors of the spicery, the yeomen of the chandlery, the scourers, turn-broaches and door-keepers of the kitchen, the salfary man and furner of the pastry department, the clerks of the various offices below stairs, and the cupbearers, carvers, sewers, gentlemen-ushers and pages above stairs had gone out with the abolition of liveries. The great houses were far healthier, far brighter, and far sweeter, not only on account of the smaller retinues inhabiting them, but because architectural skill had taken a lesson from sanitary science. The blind staircases, the low ceilings, the dark windows, the rambling rooms with their steps of access, leading up or leading down, out of one apartment and into another, had begun to give place to compact and uniform basements and stories. Fine sash windows and lofty plastered ceilings not only brightened up their interiors, but stopped the passage of dust and deadened noises overhead.

Kalm the Swede, who came on a visit to England in 1748,[1] and offered our forefathers that "fae's giftie" of seeing themselves with another's eyes, describes most of the better houses in the home counties as thus early built of bricks and roofed with either concave or flat tiles, torched with clay beneath to keep out the snow, and with their chimneys built (as a precaution against fire) with three outer walls on to the gable ends.

Lastly there was that English peculiarity, the open fireplace, which, in the opinion of natives, comforted the body,

[1] *Kalm's Visit to England*, Translation by Jas. Lucas, p. 9.

cheered the mind, and, unlike the Continental stove, afforded ventilation, and therefore health;[1] but, from Kalm's standpoint, made one side of the apartment too hot and the other too cold,[2] and (he supposed) originated the custom of toasting bread for breakfast during the colder months of our inclement climate.

The furniture of the English country house was as convenient and luxurious as that of the Victorian reign. The hideous shapes of the so-called classical style, introduced after the French Revolution, had not yet replaced those beautiful forms and colouring known as *à la Louis Quatorze* and *Quinze;* and a china mania raged, only equalled in intensity by that of this present day.

Many, however, of the lesser gentry were too old-fashioned and homely to follow the lead of their more enlightened betters. These, especially in the West Country, still clung to the stiff, heavy furniture of an earlier period; sat on the high-backed lofty chairs which had been intended to raise their mothers' feet above the bracken-strewn stone floors, and slept in the huge bedsteads, designed by their forefathers to keep out the draughts which pierced the frequent cracks in the ill-built walls. When the rich tapestries and arras of a wealthier age wore out, they replaced them with those wall hangings made of cloth or canvas, painted in oil, and scribbled over with witticisms, which so amused John Taylor when, during his travels in 1653, he lay at the Star in Rye.[3] On the

[1] *The New State of England*, Part II. ch. iii. p. 32.

[2] *Kalm's Visit to England*, p. 126.

[3] "Two miles from thence, upon a hill stands Rye,
And there I, at the Star, did lodge and lie;
More odds there is 'twixt singing sounds and crying
Than was betwixt my lodging and my lying.
I lodg'd by night, and I did lie by day,
And as upon my bed I musingly lay,
The chamber hang'd with painted cloth, I found
Myself with sentences beleaguered around.
There was Philosophy and History,
Poetry, enigmatic mystery."

—"The certain Travailes of an uncertain Journey." *The Old Book-Collector's Miscellany*, vol. iv. Chas. Hindley.

basement of the smaller manor houses were seldom more than three separate apartments; viz., the hall, ladies' bower, and kitchen. The most frequented of these was the first mentioned: it was not only a dining and sitting-room, but a passage way, along which the milk-pans were conveyed to the well-room, and in which the dairying process of scalding was performed. For this last purpose, from one of the walls jutted out a hollowed stone which served as a crucible, and in which, by means of red-hot charcoal, the milk could be converted into clouted cream. The rest of the dairying went on in the cool well-house or cellars. If cheeses were made, their storehouse would, in the majority of cases, have been the chapel —discarded for purposes of worship since Reformation times.

The low roof of their living-room was unceiled oaken rafters, blackened with the smoke of wood fires; its walls being whitewashed, and if panelled at all, only where the master and his family sat at table.

The tenant farmers lived only a degree less comfortably than their betters of the squire class. In fact, the houses of the two grades were, save in size, very little different. The most comfortable part of these old farm residences was the kitchen; and as was only proper, the most attractive feature of the kitchen was its great fireplace, complete with ingle nook and earthenware oven. Next in importance was the big oak settle, which was an apartment within an apartment. Who has not, some time or another, viewed with curiosity one of these relics of an age when draughts had to be combated within walls, and when the best roof over one's head was that, not of the house, but of the piece of furniture in which one chanced to find oneself reposing? A settle, however, was a great deal more than a seat, for it was also a receptacle for all sorts of odds and ends which hung above the sitter's head, or lay hid in the locker under him. Against the wall opposite to the fireplace rested a huge oaken dresser, along the shelves of which would be ranged, when not in use, the pewter plates and dishes of the dinner service. Cleanliness reigned within doors. Kalm was struck with the careful arrangements for leaving the dirt of the fields and roads outside, and noted the

rigorous practice of the men in scraping their shoes on pieces of iron fixed to the sides of the doorway, and that of the women in removing their pattens before entering. In the hall or passage, and again at every door, was a mat or something else to rub off the last relics of the farmyard. The same neatness extended to the immediate surroundings of each household. Nearly every cottage wall in Essex and Herts was shrouded in a mass of ivy, honeysuckle, and syringa, and the gardens were gay with flowers and foliage, and fenced with hedges of trimmed yew.[1] The houses of a village Kalm finds generally built in one row—sometimes quite close together, sometimes farther apart. On one side were the common pastures or outlands; on the other, the ploughed fields, gardens, and enclosed meadows. At right angles to the principal street was a back lane leading to the outland.[2]

The imitation of French fashions in furniture extended to dress. As a nation, we always seem to have tended towards extravagance of costume. Before the Reformation the national taste for excessive wearing apparel had to be restrained by legislation. In Tudor times people decked themselves out sometimes as Germans, sometimes as Spaniards, but rarely as Englishmen. During the Stuart period they aped the florid tastes of the French, until, in the second Charles' reign, a revulsion of feeling momentarily impelled them in a contrary direction. Then, indeed, for a short time people took to stalking about with the gravity of demeanour and costume peculiar to some Orientals.[3] But, at the period now reached, the gentry had at last struck a happy medium, being clothed neither in the too gay attire affected by frivolous French *beaux*, nor in the too sombre garb adopted by the more phlegmatically disposed of Continental peoples. The square-cut cloth coats and waistcoats, the knee-breeches and long stockings, the great neckcloths of Flemish and Spanish point lace, the fringed gloves and huge periwigs of the men; and the Dutch-like stomachers, straight and tight sleeves, rows of flounces, high head-dresses and lace caps of the ladies, seem, at any rate to

[1] Kalm's *England*, p. 13. [2] Id. *Ibid.*, p. 209.
[3] *The New State of England*, Part II. ch. iii. p. 38.

our modern eyes, to harmonise, while they tone down the gorgeously gilt chairs and tables which preceded the introduction into England of mahogany furniture and Brussels carpets.

The nobler English dame turned out of a morning with black velvet mask, a *coiffure* in the form of a hat with the brim down, a round gown, and a white apron. Many ladies wore hats of snow-white horsehair, and, according to Kalm, looked incomparably well.[1] Most of the principal females, and all the commoner males, wore perukes; and a boy was hardly breeched before he came out with one of these huge head-dresses as big as himself. Boots were worn for riding, but seldom for walking; and as none but beggars went long journeys on foot, travellers were invariably booted. Labourers wore clouted shoes, shaped at the heel with iron horseshoes, and full of nails under the middle of the sole; and as a protection against the mud, had, strapped around their legs, a kind of gaiter. The country women, when out on a visit, generally wore red cloaks; but on commoner occasions brown mantles. Lace and ruffles were largely used even by farmers' wives, whose ordinary headgear was hats of wheat straw.

Dressed in whatever fashion, English women seem to have been a pleasing sight to foreign eyes. Perlin describes them as "fair as alabaster." Baron von Pollnitz, eulogising their complexions, declared it was a pleasure to see them blush. Others went into ecstasies over their long, fine hair and languishing eyes.[2] The clearness of their skin, as compared with that of other Europeans, was no doubt owing to the fact that, not having to mingle in the operations of the field, they did not expose it to sun and wind. But no imputation of idleness must be inferred from this circumstance; for Kalm is strong in praise of all he witnessed of our women's diligence within doors, describing as admirable their assiduity in scouring floors and dishes; in cooking and dairying; in washing and starching the household linen; and in darning stockings

[1] Kalm's *England, passim.*

[2] *Foreign Visitors in England*, p. 209. E. Smith, 1889.

and sewing shirts. The manufacturer had by this time saved our farmers' womankind the trouble of weaving and spinning during the evenings, and the village baker that of making bread; but what time could be thus spared was devoted to the cultivation of pleasant conversation as soon as candles were lit and the remnants of supper removed.[1]

The women of the cottage class continued to spin far on into the present century; and though weaving proper had just ceased, there was a good deal of hemp-dressing, sack-weaving, and rope-making done by the eighteenth century villager. It was no unusual occurrence for outdoor pauper relief to take the form of the gift of a spinning-wheel to some ancient gammer. Mr. Kingston, in his *Fragments of Two Centuries*, cites the changes in the various processes by which the clothing of the sheep became converted into that of man, as illustrative of the evolution of industry. First, the finishing methods of fulling and dyeing were transferred from cottage parlour to oppidan factory; then the hand-loom disappeared from the villages, then combing, lastly wool-sorting, leaving only one process behind—that of shearing.[2]

A change for the better had taken place in the English dietary since we last had occasion to discuss this subject. The old days when, in spite of the sumptuary laws, a herd of 36 oxen and a flock of 300 sheep were slaughtered for the Christmas festivities, given by one individual,[3] or when 30,000 dishes of meat represented an English nobleman's ideas of wedding hospitalities, had vanished for ever. The foreigner's imputation that we English were the greatest flesh-eaters in the world, though true even to this day, had, by the time of which we are speaking, ceased to imply a taunt of gluttony. We have only to compare the account of Taylor's first supper abroad, at a place called Crantz, in 1617, with Kalm's description of the same meal in England, to see that all comparisons between the foreigner and the Englishman would in this respect be highly unfavourable to the former.

[1] Kalm's *England*, p. 327.
[2] *Fragments of Two Centuries*, ch. x. p. 103. A. Kingston, 1893.
[3] Richard, Earl of Cornwall. *The New State of England*, ch. iii. p. 35.

Kalm describes supper[1] not as a general custom, but as a habit indulged in by some Englishmen, who eat sparingly of cold roast meats and a little cheese, after the day's work was over.[2] "Our first mess," says Taylor,[3] alluding to the same meal in Hamburgh, "was great platters of black broth, in shape like new tar, and in taste cousin-german to slut pottage; our second was dishes of eels, chopped as small as herbs, and the broth they were in as salt as brine; then had we a boiled goose, with choak pears and carrots buried in a deep dish." The fact was that in England the late civil wars had accustomed men to one repast only per diem.[4] The four meals of the earlier age had been replaced by the one substantial dinner in the middle of the day, and an evening refection, better described by the term "beverage" than supper—in which coffee from the Levant, tea from India, and tobacco from the American colonies, had become substitutes for the solid foods and potent drinks still indulged in by the Germans before going to bed.[5] At the earlier and heavier meal the English taste was as faithful to plain boiled and roast as it is now; and French kickshaws are held up to scorn by a literary author of 1690, as viands "calculated to gratify the palate while they cheat the stomach."[6] According to John Taylor, whose frequent wanderings constitute him a fair judge, comestibles were not costly in the seventeenth century. He especially extols Carmarthen[7] as the "plentifullest" town that "ever he set foot in." Nothing was scarce, dear, or hard to come by but tobacco-pipes; butter, "as good as the world affords," was twopence-halfpenny or threepence the pound; a salmon two

[1] Kalm's *England*, p. 16.

[2] By 10 Ed. III. c. 3 only two courses and four kinds of food, except on festive days, were allowed at dinner or supper. The sumptuary laws were, however, never really obligatory.

[3] "Travels from London to Hamburgh." *The Old Book Collector's Miscellany*, vol. i. p. 27.

[4] The repeal of the sumptuary laws by 1 Jas. I. c. 25 had probably little influence on people's appetites and fashions.

[5] *The New State of England*, Part II. ch. iii. p. 34.

[6] Id. *Ibid.*

[7] "A Short Relation of a Long Journey." *Old Book Collector's Miscellany*, vol. iv. p. 15.

foot and a half long, twelvepence; beef, three-halfpence the pound; oysters, a penny the hundred; eggs twelve, and pears six a penny. Without rushing to the conclusion that food was equally cheap everywhere, we may imagine that it was not from want of means that the average Englishman of the seventeenth century had become more abstemious than his forefathers.

Kalm tells us that he had been informed that in war times provisions were actually cheaper, owing to the prohibitions against their being conveyed out of the kingdom. He seems to have thought the meat dear, but was assured that this was a temporary phase of the market, entirely caused by recent losses from epizootic disease.[1] He was evidently surprised at the Englishman's predilection for meat, especially as everywhere he found an abundance of the finest wheaten bread in the world.

Notwithstanding the low prices of food, Dr. Chamberlaine suggested that all comestibles exposed for sale in markets and shops should be sold by weight at rates periodically assessed by sworn officials, as in Spain; and that the prices of refreshments offered to the public in houses of entertainment, should be advertised by means of printed tables, as in Italy. His proposal, that in all great market towns there should be (as in Holland, and within a ten miles radius round London) public brewhouses ready to serve all within ten miles of the place, and paying the ordinary excise to a public stock, shows a side of the licensing question the opposite to what we, at the present day, are accustomed.[2]

The ineffectual highway legislation of the period is illustrated first by the same writer's demand, that the repairs of great roads leading to and from the metropolis should be provided for out of a public fund managed by Commissioners, and controlled by the Lord Mayor; and secondly, by his request that all roads leading from any part of England to London should be speedily repaired, made at least twenty feet wide, straightened where crooked, filled up where hollow, and

[1] Kalm's *England*, p. 56.

[2] *England's Wants*, etc. Dr. Chamberlaine, 1689.

fitted with finger-posts at all crossways. He describes the London streets "as the most dirty, nasty, stinking streets of any capital city now in Europe."[1] An Act of Parliament had already attempted to remedy their condition by levying a tax on hackney carriages; which, by the way, has about it the idea of the Van and Wheel Tax recently proposed in the House of Commons. The great baggage wagons continually converging on the metropolis, described by Kalm as "frightfully large," with very high wheels, loaded "with astonishing weights," and drawn by long strings of huge cart-horses, were probably the cause of the disgraceful condition of the highways in and around London. For this writer mentions the deep furrows which they made, and contends that no roads could withstand such wear and tear.[2] In fact, no man at this period expected them to; and wheelwrights went on adding to the breadth of the felloes, till they fondly imagined that their cumbrous machines became independent of ruts and hollows.

Though locomotion was dangerous, uncomfortable, and expensive, and though carriages frequently stuck fast in the mud, or were waylaid by highwaymen on Hounslow Heath or in Popham Lane, many of the wealthier gentry paid annual visits to the metropolis, thus showing the same hankering after a London season as their descendants of to-day. In fact, the non-residency of our landed gentry had attained sufficient prominence to have attracted Chamberlaine's attention, who would have introduced a law to compel "the married nobility to keep house in the country according to the good polity of their ancestors, and by a judicious hospitality win over the affections of the peasantry," thereby literally fulfilling the meaning from which the word manor or manerium was supposed to have obtained its origin (*i.e.* a manendo). The strong and the young of either sex commonly travelled on horseback. Those who preferred hired horseflesh could do so at about two shillings and sixpence per ten miles, the price which Taylor[3] paid for the "anatomy of a beast" which carried him

[1] Id. *Ibid.* [2] Kalm's *England*, p. 12.
[3] *A Short Relation of a Land Journey*, etc., vol. iii. p. 5.

from Abingdon to Farringdon. For those travellers who preferred comfort, and were less robust, there were stage-coaches, which progressed at the rate of forty or fifty miles daily, at a cost not exceeding one shilling every five miles.[1]

People who made use of the metropolis for a short annual visit would no doubt command a certain amount of additional respect amidst the simple circles of society in which they moved at home. Whilst in London they would devote their attention to gossip and the interchange of ideas and compliments in the coffee and chocolate-houses. Then, having done the plays, and refreshed their minds by imbibing a small modicum of the latest discoveries in fashions and the sciences, they went back to their sporting and farming until another fit of the old nomadic instincts drove them off wandering again. Young men, whose fathers could spare them sufficient means, rented chambers for a few terms in the Temple for the purposes of education, and frequented coffee-houses in order to acquire a thin veneer of polish by listening to the wits. And such a course of light studies no doubt sent them home a little shrewder if not much wiser than when they left. The smattering of law picked up in the metropolitan courts was just enough perhaps to enable them to fulfil their duties on the bench and hold their own in the market. Few either required or cared for the higher attainments of scholarship and oratory. If only a man could stammer out a few sensible ideas on festive occasions, such as Christmastide or rent day, and was well acquainted with the laws and science of all country sports, he was likely to fill his position a great deal better than if he had acquired literary tastes, which could only be exercised in the solitude of his own study. Sir Roger de Coverley's companion was chosen for the post of chaplain partly because he was a good scholar and *didn't show it*, partly because he understood a little backgammon.[2] Most of our readers will recall to memory the scorn displayed for Mr. Frolick when he reappeared amongst the playmates of his boyhood and aired his town opinions on

[1] *New State of England*, Part II. ch. iv. p. 46.
[2] *Spectator*, July 20, 1711.

the bowling green of his native village.[1] The class of country gentry which met at the covert-side would have looked askance at a neighbour if, in their estimation, he had overstayed his time either in the London Temple or in the London coffee-houses. In the first case he would have incurred the imputation of being a fellow full of quirks, quiddits, demurs, sarsararees and procedendoes; and, in the second, he would have been dubbed a bundle of vanities, a walking mercer's shop, or a three-parts fop and the rest Hector.[2]

The squire's womankind had at last discovered that embroidery was not the whole duty of female life. Some ladies became fashionable, and took to politics and intrigue; some became mere drudges, and devoted their whole existence to the kitchen and still-room; and others, encroaching on the offices of parson and doctor, dispensed medicine and advice to all their husband's servants and dependants. But by far the larger proportion, avoiding all these extremes, devoted their time to raising the standards of comfort and intelligence in all those with whom they came in contact. We read in the *Rambler* that in the days of the *Spectator* "young (unmarried) ladies contented themselves to be found employed in domestick duties, for then routs, drums, balls, assemblies and such like markets for women were not known. Modesty and diffidence, gentleness and meekness were looked upon as the appropriate virtues and characteristicks of the sex. And if a forward spirit pushed itself into notice, it was exposed in print as it deserved."[3] The majority of country squires acquired wives like her whom the Vicar of Wakefield married, and chose them as they in their turn chose their wedding gowns, "more to wear than to look at." The typical squire's dame was she who was hard to beat in pickling, preserving, and cookery, capable of reading any English book without much spelling, and at the same time a lady "than whom few could show

[1] *The Rambler*, No. 61, October 16, 1760.

[2] "The Character of a Town Gallant, 1675." *Old Book Collector's Miscellany*, vol. iv.

[3] *Rambler*, No. 97, February 19, 1751.

higher breeding."[1] Now more than ever was needed a spirit of moderation and reconciliation between the various classes composing the Landed Interest, and much of that genial relationship which still exists between squire and tenant owes its origin to the Ladies Bountiful and Sir Roger de Coverleys of this period.

Even the exclusive blue blood of the old feudal aristocracy had been infused with a spirit of moderation from that same source which had so often before benefited other classes of the Landed Interest. For about this time a graft of that useful but exotic growth, the Flemish aristocracy, came to be united with the ancient stem of our native nobility. No one has quite realised how narrow and bigoted the original Norman patrician might have grown without this introduction of a foreign strain into the old stock—Auverquerque, Zulerstein, Schomberg, Seymour, Bentinck, Cavendish, Keppel, and many others established what Lord Beaconsfield has called the Venetian Constitution, and brought in those liberal ideas which no doubt have often tempered the innate and perhaps bigoted conservatism of our House of Lords, and enabled it to guide and ride rather than resist the storm. Indeed, a more tolerant spirit seems to have permeated all grades of the English gentry. The term gentleman, for a long time limited to persons of good family, bearing a coat of arms, but without any particular title, was now stretched into covering not only the more exalted degrees, such as the nobility, knights, and esquires, but any individual who had acquired a good education and looked gentlemanlike.[2]

In representatives of the Landed Interest below the grades just mentioned, we find, on the contrary, a more exclusive social tendency. The yeomen were not only increasing rapidly in numbers, but also in importance. All were freeholders of lands or tenements inheritable by a perpetual right to them and their heirs for ever. Many had estates averaging forty or fifty pounds a year; not a few double and quadruple that sum, while in Kent the income of more than one had reached

[1] Goldsmith's *Vicar of Wakefield*, ch. i.

[2] *The New State of England*, Part II. ch. xx. p. 226.

four figures.[1] As a class they had the goodwill of the community, and their rustic employment was regarded in the eyes of the Law as freer from corruption and cheating than any other industry in the country. Accordingly we find them selected for the offices of constable and churchwarden, privileged to serve on juries and record their votes in the election of Parliamentary representatives, and in many other ways enjoying immunities which legitimately belonged only to their superiors in the social scale.[2] The other farming class, —viz., the holders of lands by copy of Court Roll[3]—were now also privileged to serve on juries, and were rapidly rising above the dregs of the obsolete villeinage which, as tenant farmers and hired labourers, were in their turn beginning to take up those positions originally occupied by their immediate superiors in social importance. Formerly it would have been an unheard-of condescension for the squire to have met any person of the farming class on terms of social equality. But Sir Roger de Coverley, it will be remembered, was not above a friendly chat with the honest yeoman of about one hundred pounds a year whom he met on his ride to the assizes, though the man was not the best of sporting neighbours on account of his fondness for partridge-shooting.

There is probably no truer touch in the whole sketch than the tact with which this old squire retains his traditional influence, conceals his want of education, and completely satisfies two disputants, difficult as they were to please, in the judgment he pronounces on the polemical matters submitted to him by Will Wimple and Tom Touchy. It was not altogether feudal tradition that caused Sir Roger's inferiors to look to him for advice and submit to his rebuke. The good feeling shown him by the tenants was reciprocated. The very discipline so ostentatiously exhibited by this ancient squire during divine service proved his solicitude for his dependants' morals, and the lane of bowed heads through which he passed out of church was their way of showing

[1] Id. *Ibid.*, p. 228.
[2] *The New State of England*, Part II. ch. xxi. p. 229.
[3] 6 and 7 Will. III. c. 4.

appreciation. A very different state of affairs prevailed, we are told, in the neighbouring parish, where a feud existed between parson and squire. There is sad reason to believe that the result in reality would not be any different from what the *Spectator* represents as taking place. The parishioners are easily won over to the seignorial side, and show their partisanship by becoming atheists and tithe-stealers. This was but human nature, for the squire could shower benefits or render life miserable, whichever and whenever he pleased; whereas the parson was too poor to be generous, and too insignificant to inspire awe; and though the villagers would have, if properly handled, allowed him his say in their spiritual concerns, anything requiring judgment or advice carried them off to the manor-house, as though its great entrance hall had been still the judicial court of the district.

Let us examine another type of the seignorial class of these times. Mr. Evelyn may be regarded as the leader of that small band of landed gentry whose activity and cultivation of mind placed them far in advance of their fellows. He inherited all the tastes of the English squire, but none of his extravagances. Loyal to the core and an intimate friend of more than one of the Stuart kings, he was never blinded to their failings. He travelled abroad, "not merely," as he himself said, "to count steeples," but to widen his intellectual views. His tact, learning, and moderation gained him friends in every grade of society, and in every school of thought. He could retail Court gossip to the county dames, and discuss empiric agriculture with the bumpkin; while his letters, essays, diary, and works on arboriculture and farming placed him on a level with all the most elegant and scientific writers of his day. The account of his career reads like that of some public man of the present age. His early surroundings are identical with those of any landowner's son now in the sixth form at Eton or Harrow. His father, a man of temperate judgment but retiring disposition, lived a country life on a well-wooded estate, whose rent-roll amounted to £4,000 per annum. He sat on the bench, and fulfilled the office of sheriff for two counties. In the latter capacity, much against his will, he

found himself the leader of a large retinue of neighbouring gentry, and the master of over 100 servants, "clad in greene satin doublets." The son goes to a tutor at Lewes, thence to Baliol, where at the age of fifteen he distinguishes himself by some graceful literary work. Toward the end of his University course, the king had established his headquarters at Oxford, which enabled Evelyn to avail himself of a special royal licence to travel abroad. After a time he returns to London, in order to qualify himself as a barrister. Thus early had he exhibited those talents, and acquired the learning, which ultimately gained for him the coveted Fellowship of the Royal Society, and an office under Government.[1]

Not so learned, but even more practical, and therefore quite as useful to his class, was Jethro Tull, who came into the world before Evelyn had left it. He too had the advantages of a University education, and, though unsuccessful in taking his degree, was eventually called to the Bar. Following unconsciously in Evelyn's footsteps, he enlarged his mind by a course of foreign travel,[2] and then settled upon his father's farm in Oxfordshire. Too poor to take up agriculture as a hobby, he sought to bring his holding into such a condition of fertility as to be able to let it at a good rent, and he was so far successful in this attempt that in nine years he was able to obtain a tenant who paid him one-third more rent than it was ever let at before. His methods of husbandry, and invention of the drill, will be described further on in their proper place.

Let us take our readers for a space up into the north-west of Norwich, to the district commonly known as West Norfolk. There lay the three great houses of Holkham, Houghton, and Rainham, about the first of which we shall have something to relate later on in this work. On the last-mentioned estate, its master, Lord Townshend, retiring from office in 1730, devoted the short remainder of a long life to agriculture. As a statesman he is described as choleric, vindictive, and honest; as a farmer, energetic and inventive; and as a landlord,

[1] *The Diary of John Evelyn.*

[2] *Agri. Biography, sub voc.* "Jethro Tull." J. Donaldson.

virtuous and liberal. When in the *rôle* of Secretary of State to George I. he visited Hanover, he was struck with the similarity of its soil to that at home, and paid special attention to its cultivation. The result was that he brought back the turnip and the practice of its husbandry to Rainham, and strongly recommended both to his tenantry. Henceforth he established a process of agriculture which for ever after associated his own name with the turnip, and his county with that of the four-course rotation. These were the successful results of improvements, which, be it remembered, were carried out by an individual who had quitted all the power and lustre of a court for the amusements of agriculture. "The importance," says Arthur Young, "of embassies, vice-royalties, and seals, is as transitory as that of personal beauty, and the memory of this lord, though a man of great abilities, will in a few ages be lost as a minister and a statesman, and preserved only as a farmer."[1] Thus, even in his lifetime, his name was extolled in every European language, not as a statesman, but as an agriculturist, and no better memoir of him can be found than the following quotation from a French book, "*Milord Townhend*" (sic): "s'étant retiré dans ses terres, surpassa bientôt ses modêles. Par ses soins il établit des fermes fertiles, enclos de haies vives, dans ses terreins reputés trop maigres jusque-la pour les labourer."[2]

These celebrated husbandmen were, however, but the forerunners of a numerous class of amateur farmers, who will make their appearance from time to time in these pages, whenever their valuable services to England's agriculture entitles them to our honourable mention.

The ordinary villager, unless close to the metropolis, seldom mixed with its citizens. There is an amusing contrast depicted by means of a dialogue between a citizen and a countryman, in a brochure of the seventeenth century.[3] The rustic, rendered idle by the great snowstorm of 1614, which continued off and on from January 17th to March 7th, leaves his north-

[1] *Annals of Agriculture*, vol. iv. p. 120.

[2] *Les Interêts de France mal entendus*, Tom. i. p. 138.

[3] "The Great Snowstorm, 1614." *Old Book Collector's Miscellany*, vol. i.

country farm and pays a visit to the metropolis. The citizen, though some forty years younger, has just compared his own aged appearance with the healthy, erect bearing of his old-fashioned visitor. "Oh sir," replies the Northerner, "riots, riots, surfeits overnight, and early potting it next morning, stick white hairs upon young men's chins, when sparing diet holds colour; your crammed capons feed you fat here in London, but our beef and bacon feeds us strong in the country; long sleeps and past midnight watchings, dry up your bloods and wither your cheeks: we go to bed with the lamb, and rise with the lark, which makes us healthful as the spring. You are still sending to the apothecaries, and still crying out, 'Fetch Master Doctor to me,' but our apothecary's shop is our garden full of pot herbs, and our doctor is a clove of garlick." The old man ends up with some plain speaking against the citizen's practice of marrying at an age when he might very easily be mistaken by a stranger for a girl in breeches, "but in our country," he says, "we hold it as dangerous to venture upon a wife as into a set battle; it was thirty-six ere I was pressed to that service, and am now as lusty and sound at heart (I praise my God), as my yoke of bullocks, that are the servants to my plough."

It must not, however, be supposed that all rustics were so prudent as this old north-countryman in the business of matrimony. Defoe tells us that in the marshes of Essex, about Barnstable and Rochford, it was very frequent to meet men who had had ten or twelve wives, the reason for which, so "a merry fellow" told him, was because the marshmen went on to the uplands in search of fresh-complexioned young women as wives, but that the fogs and damps of their new homes soon finished them off, upon which the undaunted but heartless widowers, bent on the same quest, would pay a renewed visit to the uplands. Marrying of wives amidst these ague-stricken haunts was, says Defoe, "a kind of good farm" to their male inhabitants.[1]

Not by any means all, even of the richer country gentry,

[1] *A Tour through Great Britain*, vol. i. p. 11. Defoe, 7th ed., 1769.

frequented the metropolis, the majority had probably never been there in their lives.[1] Feasting and gambling, dancing and music could be carried on in the country as well as in the town. County and subscription balls were almost as frequent occurrences as they are now. The frolicing and fun at the fair held on Angel Hill, in Bury St. Edmonds, was just as jovial and a good deal more refined than that held on St. Bartholmew's Day in London. Puppet shows and merry-andrews were quite as sufficient attractions to the innocent tastes of the bumpkins at the country wake, as the gallery of obscene pictures in Bartholomew Fair was to the more vitiated palate of the London citizen. In fact, this latter institution, what with its profanity, debauchery, and thieving, must have become, by the beginning of the eighteenth century, almost an outrage on public morality. And yet, when an institution has a charter dating back to Edward I., a name fraught with historical memories, a famous market place but recently paved[2] at a huge expense, and had become one of the chief avenues whereby the countryman's spare cash found its way into the Londoner's pockets, there is ample cause why the City authorities allowed it to linger on until the middle of the present century.[3] And, if we come to think, some annual meeting ground like this was absolutely essential between the producers and purveyors of marketable produce, in times when facilities of locomotion were practically the same as in the days of Julius Cæsar.[4] If the consumer required mutton, he sought it in Newgate; if beef, in Leadenhall; if veal, in St. James'; if fruit, in Covent Garden; and if dairy produce, in Thames Street; but when the shopkeeper required fresh

[1] The local gentry spent their season in the county towns. Both Shrewsbury and Preston were full of their town houses, and became quite gay at particular periods of the year. *Vide* Defoe's *Tour through Britain*, 1769.

[2] Paved in 1614. *Vide* "The Great Snowstorm," *Old Book Collector's Miscellany*, vol. i.

[3] Abolished in 1855.

[4] Transport from London to Birmingham was £7 a ton, from London to Exeter £12. *Vide* "Jethro Tull, his Life, etc," by Earl Cathcart, *Journal R.A.S.E.*, Third Series, vol. ii. pt. 1.

sources for his particular commodity, and when the farmer wanted a fresh connection for the disposal of his produce, the necessity for Bartholomew Fair and other similar meeting grounds is apparent.

The weekly local markets of this period often began as late as 3 p.m. The farmers brought their sale grain into the town in bulk, and stored it at the various inns—a process technically termed "pitching." Millers and maltsters met them in the open market place and bargained over the sample bags. There could not have been on the faces of these vendors the same anxiety as is depicted on those of our modern husbandmen when transacting this business, for all that grain lying at the various alehouses was protected by Government from low prices. Later, when the market hour was changed to 11 a.m., the "ordinary" became a standing institution, and the bells of half a dozen inns would suddenly ring out a summons for all to desert business and renew the inner man.[1]

In these uneducated, pre-railroad times, facilities of communication were a prominent difficulty. Postal contact with the national centres was provided for by a tri-weekly service, which required the attention of 182 deputy postmasters, who were distributed over the country so that no considerable market town was without its office; horses, kept at every post stage, were, for threepence per mile, at the service of any traveller whose business required expedition; and the royal revenue, after clearing all the expenses of management, was from the National Postal Service alone, £50,000.[2] Already the shadow of good things to come was apparent in the metropolitan area. A daily penny post, hitherto a mere dream, was, by the establishment of a daily delivery between London and the Downs, and a penny rate throughout the radius of London proper, assuming a concrete form.[3] Kalm was delighted with it, and describes how not only could one send a letter not exceeding a pound's weight for this trifling sum, but that for another penny he could, however distant he happened to be from the

[1] *Fragments of Two Centuries*, p. 108. A. Kingston, 1888.
[2] *The New State of England*, Part II. ch. iv. p. 48.
[3] Id. *Ibid.*

post-house, have it safely conveyed thither by official collectors; who went round ringing small handbells for this special purpose.[1]

Nothing could possibly exceed in importance to agriculture these evidences of a time fast approaching, when the dissemination of knowledge would be so enormously expedited, as to excuse no husbandman, however isolated, for farming badly, on the plea of ignorance. The penny post and the penny newspaper of the nineteenth century were to thoroughly complete the crusade against agricultural nescience, which had been initiated by the monk, taken up by the Fleming, and carried forward by the amateur. The practice and theory of the last mentioned, as shown by the pamphlets and treatises of the period, will indeed occupy a large portion of the ensuing pages.

[1] Kalm's *England*, p. 64.

## CHAPTER V.

### UNSATISFACTORY CONDITION OF THE LAND LAWS AFTER THE ABOLITION OF FEUDALISM.

The abolition of feudal tenures had not apparently altered the power of alienation, yet it was by no means in the same condition as it had been originally. The transfer of land, comparatively simple when, as in Anglo-Saxon times, it had been performed by the instrumentality of a public registry, had gradually become more and more intricate. The processes of seisin and enfeoffment, introduced under the system of feudal tenures, had more or less involved it in obscurity, but not to such a degree as the practice of secret conveyances, which had crept in later still. The late Lord Cairns once divided the history of real property in England into two periods. The first, ending with the Commonwealth, was coincident with the efforts of the State lawyers to make, by means of legal fictions, "the severe and simple forms of feudal law bend themselves to the advancing interests of commerce and to the wants of the people." The last, hardly completed yet, coincides with the efforts of the same experts to get rid of those complex systems which had been once useful in lessening the severity of feudal tenures.[1] Thus from 1660 we read of "constant attempts to establish land registers" and other means of simplifying transfer. In fact, we have now reached a period when the question of title to lands and the variety of estates upon which realty was held, were calculated to baffle the wits of the astutest lawyers. "The mere epitome," says Mr. Wren Hoskyns,[2] "of all the various doctrines of legal and

[1] *Vide* Speech of Sir Hugh Cairns in introducing the Titles to Landed Estates Bill, 1859.

[2] *Systems of Land Tenure, sub voc.* "England." Cobden Club Essays.

equitable estates, of seisins, of uses, of trusts executed and executory, of powers at common law and in equity, of terms of years outstanding and assigned, of mortgages, of all the complex interests—often fictitious, and even contradictory—by which the same person may be at one side of Westminster Hall the *owner* and at the other a *trespasser*, which form the Real Property Law of this country, would awaken in the reader a kind of despair."

No wonder, then, that we find in the writings of this age frequent attempts to revert back to forms of public registry, which had so simplified alienations in primitive times.

In the Lords journals of 1669 we read that this uncertainty as to the titles of estates was one cause of the decay of rents and value of lands,[1] and not long afterwards Dr. Chamberlaine suggested the following remedy: "That (as hath been long practised in the United Netherlands) Registers may be settled in every Hundred, or in every County at least, and all Lands and Houses may be entred in that Book, and therein all Alienations to be set down in Alphabetical Order, and none to be authentic if not there entred, that so no man hereafter may be cheated by a Premorgage or any other way, but that Men may be satisfied in what they possess and what they may call their own."[2]

And indeed the controversy on this subject is still as animated as it was two hundred years ago. Many a victim of the practices called "tacking a mortgage" and "consolidation of securities" since, would have had reason to bless Dr. Chamberlaine had his proposal met with practical results.[3] Nor was it for want of earnestness that this writer failed in his undertaking. He returns to the subject in a postscript. "Of the many grievances of this Nation, none," says he,

[1] Vol. xii. p. 273.

[2] *England's Wants, and Several Proposals very Advantageous for England, humbly offered*, etc. By Dr. Chamberlaine, 1689.

[3] Even in Middlesex, where such a registry exists, tacking of mortgages is possible. The Act 4 and 5 Will. & Mary attempted, though ineffectually, to protect the innocent mortgagee, and the Act of 44 and 45 Vict. c. 41, s. 17, commonly called the Conveyancing Act of 1881, partially abolished the consolidation of securities of a mortgagee.

"seems to be greater than the want of a Register, whereby to prevent Frauds, Forgeries, Cheats and Perjuries in Purchases and Mortgages; such a Register as hath for a long time been practised with much benefit and admirable success in all our Neighbour Nations; such a Register as hath been generally desired by the most wise and most honest men of England, but seems to be reserved for the Honor and Glory of our present Dread Sovereigns, King William and Queen Mary, to whom it is most humbly proposed. That for the infinite good and benefit of all their loving Subjects, and all Strangers fled hither for Protection, Their Majesties would graciously be pleased to appoint a Select Committee of Lords, Spiritual and Temporal, of some of the Learned Judges and of some Members of the House of Commons to receive such Proposals as shall be offered touching the speedy erecting of a Register; after mature deliberation to draw up a Bill, to be read in both Houses of Parliament. Such a Bill as would secure all Purchases from Dormant Intails, from all Premorgages, from private Trusts and Assignments, from forged Deeds, Pocket Securities, Long Leases, and a multitude of other Frauds and Incumbrances which the Wit and Knowledge of the most Learned in the Law can never be able to discover. Such a Bill as would prevent those common and vile practices which fill our Courts with many long, chargeable and infamous Suits. Such a Register would encourage Foreigners to bring over vast Summs of money, would raise Lands, as in Holland, to thirty years' purchase, and lower Interest Money to three per cent., whereby Trade and Commerce would infinitely encrease. Briefly, the Benefits and Advantages thereof are more and greater than any English Man can easily express or conceive."

But though this seventeenth century doctor's conclusions have been fully verified by experience, as in Scotland, it is not to be expected that a point which even now divides the legal profession into two hostile camps would have been conceded without considerable opposition then.

We must therefore expect to find quite as many learned men arrayed against the suggestion as in favour of it, more especially since as late as 1890 no less an authority than the

learned President of the Incorporated Law Society viewed this question of public registration with such strong disapproval, as is expressed in the following extract of his inaugural address:—

"I hope that if the Land Transfer Bill should be again introduced into Parliament, it will not be framed so as to endeavour to impose on the country a system of compulsory registration, which would, I feel sure, be found an intolerable burden, not only to those who already own land, but also by those who desire to acquire it, and by those whose business it is to see to its being properly transferred, and that is practically the whole community. The transfer of land has been much simplified by the recent Conveyancing Acts, and I think, if these Acts are allowed a fair trial, titles before long will be much shortened, and the transfer of land will be more easy than it is at present."

But in Dr. Chamberlaine's days not only were the Conveyancing Acts non-existent, but the practice of Common Recoveries was in full swing.[1] In fact, since the date when the judgment in Taltarum's case had been so cunningly worded as to encourage the future adoption of some such artifice for barring the issue in tail, Common Recoveries had received the full recognition of the law. They had so strong an operation that if even before the statute of 32 Hen. VIII. cap. 31, a writ of *præcipe* had been brought against a tenant for life, and recovery suffered, it would have been binding on those in remainder. Then also after, if not before, the statute of 14 Eliz. c. 8, if a tenant for life had let for years to one who made a feoffment, and a *præcipe* had been brought against the feoffee, and he had vouched the tenant for life, this would have bound the remainder.[2] Now though these two statutes, and that of 7 Hen. VIII. c. 4, undoubtedly afford a constitutional recognition of the practice, yet in the application to it of the term "Feigned Recoveries" a reflection is cast, as though those who worded the Acts were fully alive, not only to the abuses

[1] Many cases are cited in *A Treatise of Common Recoveries.* N. Pigott, 1739.

[2] Id. *Ibid.*

to which the process was especially liable, but to the pernicious nature of the process itself. But, as has already been pointed out in the earlier portion of this work, the use of Common Recoveries was invented to avoid, as much as might be, the inconveniences caused by the statute *De Donis*. Without some such process the tenant in tail could have made neither jointure for his wife, nor provision for his children, nor payment of his debts. For want of some better substitute the State reluctantly acknowledged the necessity for the practice, but hedged it around with a series of Acts in the hope of preventing the invention of others still worse. For the powers afforded by Feigned Recoveries were closely connected with the system of mortgages and other means of raising money on landed property, and these in their turn created abuses, to remedy which the outcry for registration arose. Nor would those abuses have been allowed to exist if legislation only had sufficed to prevent them. The following preamble to 13 Eliz. c. 5 shows how alive statesmen had become to the evils of the system :—

"For the avoiding and abolishing of feigned, covenous and fraudulent Feoffments, Gifts, Grants, Alienations, Conveyances, Bonds, Suits, Judgments and Executions, as well of Lands and Tenements, as of Goods and Chattels more commonly used and practised in these days than hath been heard of heretofore; which Feoffments, Gifts, Grants, Alienations, Conveyances, Bonds, Suits, Judgments, and Executions have been and are devised and contrived of Malice, Fraud, Covin and Collusion, to the end and intent to delay, hinder or defraud Creditors and others of their just and lawful Actions, Suits, Debts, Accounts, Damages, Penalties, Forfeitures, Heriots, Mortuaries and Reliefs, not only to the Let or Hinderance of the due Course and Execution of Law and Justice, but also to the overthrow of all true and plain Dealing and Bargaining between man and man, without which no Commonwealth or civil Society can be maintained or continued."

We need not give in detail the provisions of this Act which was intended to prevent these evils, for that they proved ineffectual is evident by the necessity of such further legislation

as is embodied in statutes 27 Eliz. c. 4, and 29 Car. II. c. 3. But, from all that has been now said, it is clear that the fiction of Common Recovery was the root of the evil, and that its extirpation was only a question of time. Indeed, it is surprising to find that the Act finally abolishing this process was not passed till 1833.[1]

Up to that date, therefore, the advocates of a public registration had a much stronger case than their like-minded descendants of the present day. The physical difficulties of the scheme were, as regards population and multiplicity of documents, infinitely less; as regards locomotion and accessibility, infinitely greater than they would be now.

The question is one which from time to time has attracted considerable public attention. A large amount of literature embodying the *pros* and *cons* of this important problem began to appear towards the close of the seventeenth century. Thus in 1678 there came out a pamphlet in favour of registration, followed later in the same year by one against it. Then in 1694 a writer, styling himself "a person of great learning and judgment," took up the cudgels in its defence, which no doubt provoked a further attack and counter-attack. Besides such works every law-book had something to say on the point, so that the historian who desires to make a conscientious selection of what is permanently useful on the subject is positively embarrassed by the excess of materials to hand.

At first sight it seems strange that in all the literature which we have examined no one had placed his finger on the seat of the mischief, and proposed the abolition of Common Recoveries, especially because as long as the judicature countenanced such fictitious processes, it opened the door to still worse forms of fraud, of which tacking and consolidation of mortgages would be reckoned among the most innocent.

But it must be borne in mind that neither the champions of registration, who probably represented the commercial interest, nor the advocates of the *status quo*, who probably represented the landed interest, desired to abolish a system without

[1] 3 and 4 Will. IV. c. 74 substitutes a simple disentailing deed for the more intricate processes in use before.

which the market supply of land and landed securities would have ceased altogether.

Now, at the outset, we must not forget that a successful system of public registration was not only, as Dr. Chamberlaine pointed out, in vogue abroad, but in the county of Middlesex and the East and West Ridings of Yorkshire.[1] The system, indeed, was never entirely strange to the nation; for, as we have said, it was part and parcel of the Anglo-Saxon land tenure,[2] and was the very basis of successful administration in copyhold manors, such as Taunton.[3]

Without exception, all the writers whose works we have examined are unanimous on the following two points: first, that without a system of public registration the existing liability to fraud and loss over the sale, transfer, and mortgage of land was considerable; secondly, that the possibility of the individual being sacrificed for the benefit of the whole community should not act as a deterrent, provided our statesmen had become confident that the community would be benefited by such a reform. The contest, therefore, generally centres round one or other of these two points.

For example, the advocates of registration were interested in showing in what ways the nation, as a whole, would be benefited. Now it was thought by some that the trading spirit of the country would either languish altogether, or find a vent for its capital abroad, unless investments were forthcoming at home, secure enough to command absolute confidence, and plentiful enough to keep down the price to a figure where a fair percentage on the outlay was possible. Such investments consisted chiefly in the loan of money secured upon real estate; and without a system of registration the market supply of landed estates, the owners of which possessed *indisputable* title-deeds, was quite inadequate to the demand. This circumstance raised the value of all realty beyond the

[1] *An Essay on the Amendment of the Law*, 1736, p. 71.

[2] *Systems of Land Tenure.* C. W. Hoskyns. Cobden Club Prize Essays.

[3] *A Treatise showing how usefull, etc., the Inrolling and Registring of all Conveyances of lands may be to the Kingdom.* By a person of great learning and judgment, 1694.

possibility of obtaining any remunerative return upon its purchase-money.[1]

It is interesting to note how the opponents of registration combated the above contention. An opportunity of doing so is afforded us by the pamphlet already alluded to, which came out later on in the year 1678, and whose author had undertaken the task of refuting the arguments produced in the earlier one.

The later writer, though willing to admit that the advancement of trade was the great concern of the nation, does not allow that such an advancement could be brought about by the remedies suggested. It was, he states, a very strange paradox that country freeholders' estates should be the security of money for merchants or tradesmen to trade withal, or that money dispersed about the country on land securities should advance trade abroad. He stigmatises as a very weak assertion his opponent's suggestion: "That the Lands of this Nation cannot become such a Security but by a Registry," and traverses the statement, that registration of titles would attract purchasers, by the assertion that, "no man would willingly submit to invest money in lands if subjected to such grievous conditions."[2]

As an alternative he proposes that, since the reduction by Parliament of the interest on money from 10 to 8 per cent. had already proved beneficial both to the landed and commercial interests, a further step should be made in the same direction. He imagined that if the interest on money could be reduced lower still, say to 5 or even 4 per cent., more and more capital would be risked in trade, and the value of land would be enhanced. If, on the other hand, the interest

[1] *Reasons for a Registry, showing briefly the great Benefits and Advantages that may accrue to this Nation thereby, and likewise reconciling those mistaken inconveniences which many have conceived thereof.* By a Well-wisher to the Publick Interest of the Nation. Feb. 4, 167¾.

[2] *Reasons against a Registry for Lands, etc., showing briefly the great Disadvantages, Charges, and Inconveniences that may accrue to the whole Nation in general, thereby much overbalancing the particular Advantages that are imagined to arise therefrom. In answer to a late Book, Intituled "Reasons for a Registry,"* etc., etc. London, 1678.

of money remained so high, and the security of mortgages became unassailable, capital would be tied up at home which would have been more valuable to the nation if invested in commercial ventures.

Now it was quite evident to all the controversialists that, if there was to be a system of registration at all, it must be comprehensive and thorough. No half-hearted measures would suffice.

Thus one writer asserts that all judgments, statutes, and recognisances must be open to view. All trusts touching estates, all mortgages, powers of revocation and limiting of new uses, of letting or charging estates, all declarations of uses and trusts upon fines, recoveries, and other assurances, all grants of rents, commons, profits, all conditions and reservations of rents, all leases for years or lives made by any person either with rent or without it; in brief, all feoffments, grants, releases, confirmations, wills, forfeitures, escheats, commons, or whatsoever other estate or interest in them, must not only be enrolled and registered, but lie open to the public view. It was quite evident, as this author remarks, that "if any one Leak be left unstopt, the Vessel will sink as well as if more were open, and that if the Remedy be intended as large as the Disease, this Registry must not only look forward, but it must look backward, and all Estates and Incumbrances, then in being, as well as those that should be thereafter would have to be laid open to the view." Thus also another writer points out that a registry would be no security against statutes, judgments, and recognisances unless they too were enrolled. Yet another endeavours to prove that a compulsory measure would alone be serviceable,—optional registration was no good, the publication of the principal heads of deeds without their details was worse than useless. Unless the registration of a deed afforded the minutest description possible, there was no certainty for the purchaser that he was examining the same document as that purporting to be recorded; and even the registrar's signature of each deed was no protection against forgery. One controversialist declares that, "In order to the discovery hereof we must suppose that either every man

shall be at liberty to inroll or register his Estate, or it must be under this penalty, that if he fail herein he must lose his Estate. If we suppose the former; then every man is still at liberty as he was before, and nothing is effected by it. If the latter, viz., that he shall lose if he do not inroll the Estate he hath, or, which is all one, it shall be in the power of him that inrolls a subsequent Title to make the former not inrolled void; then either that inrollment or registry must be barely of his Claim or some abstract of his Title; or he must inroll the tenor of the Deed or evidence by which he claims." Supposing, then, that a man is allowed to register only a mere abstract of title, he would, unless furnished with the best legal advice, be liable to omit something or other essential to his title. If by so doing he would incur the penalty of forfeiture, he would be induced to enroll the whole deed. If, on the other hand, the law indemnified him for error, so long as he entered as much of his title as he conscientiously deemed sufficient, the whole design of registering and enrolling would but end in a public deceit and insecurity. No other course was practicable, therefore, than the enrolment by law of a complete and authentic deed or other record, so that the purchaser or lender could not possibly be cheated under the credit of a public office established solely to prevent fraud or loss.

Again, another disputant decides that in order to stop the pernicious practice of mortgaging estates to two, three, or four different parties without informing the later mortgagees of the earlier incumbrances, it should be treated as a felony, and its perpetrators rendered subject to the punishments of imprisonment and forfeiture.

The only remedy, therefore, was to introduce a law compelling "all persons, whatsoever, who have or shall have any Title or Incumbrance, that is chargeable in any Estate real, to Register the same by a day certain, or else the Party neglecting to register such his Title or Incumbrance shall be concluded the same by all the subsequent Purchasers, *bonâ fide*, or to the like effect."

The chief obstacles to such a remedy were: first, that it

would be a vast charge for men to be obliged to register the several deeds that they may have concerning the titles of their estates; secondly, that by this means the private concerns of one man's estate would be publicly exposed to the knowledge of any other that would but peruse the registry; thirdly, that these hindrances to the scheme would benefit the few at the expense of the many; fourthly, that exceptions would have to be made in individual cases.

We shall now examine seriatim these disadvantages, and see how the advocates of registration proposed to obviate them. One opponent of this reform animadverts with biting sarcasm on "the amount of dust that would be raised were all the Statutes, Judgments, Mortgages, Warranties, Grants, Leases, etc., that have been made, acknowledged, suffered, entered or executed within the memory of men to be registered by a certain day. 'How many Incumbrances,' he asks, 'will here be registered, that otherwise might have been set up, being (it may be) only given for collateral securities, or it may be long since satisfied, but the witnesses dead, and now must be compounded withal, before the owner can sell or Mortgage his Land; how many searchers or Informers will now be prying into sinking men's Estates, only to exasperate their Creditors to fall upon them?'" Assuming that the most convenient place were selected, such as the shire town, to serve as a centre of the registration of each district, the writer still is able to draw several lugubrious pictures of the situation, the first of which will suffice as an example. He beholds in his mind's eye an aged couple taking four days to ride forty miles through deep clay, accompanied by legal advisers, to register a mortgage worth thirty or forty pounds. The costs of such an undertaking would swallow up not less than one-fourth of the sum borrowed, and the result would be that whenever a poor freeholder wanted to borrow a little capital, either to place his son out as an apprentice, or marry his daughter, he would have to pay twenty-five per cent. of it in legal and personal expenses alone. In fact, to furnish a copy of every deed and incumbrance at their full length would involve prohibitive costs. Another writer foresees that if all the

conveyances of men's estates were to be enrolled, Westminster Hall itself would not hold the mass of documents, and the costs would exceed millions of money.

Again, another writer discusses the difficulties attendant on the subject of the site or sites of a public registry office. Whether London, as the great centre of buying and selling, were selected for one great office, or each district were allowed to choose its own particular site, many persons would be put to immense inconvenience in travelling to or from the remoter parts of the kingdom in order to transact their business. Frequently men possessed lands in several counties, and they would have to visit different parts of the country, in order to produce or examine titles.

No less formidable were the obstacles surrounding the second of the four objections. Compulsory registration did not seem to stop short of rendering the private business of the landed proprietor who lived in the eighteenth century as much a subject of public property as that of the merchant would be, if he were ordered by the State to publish annually the details of his banker's pass book. "The publication of Deeds and Titles," says a person of great learning, "would expose their plans and defects and invite controversy;" knowledge of the future disposal of estates would create family discord; and the income of the landed capitalist would be laid bare to the public eye.

Concerning the third objection some of the disputants have a word to say. Thus the author who had already objected to the contention that the community at large would be benefited now goes on to show that even the landed community would be sacrificed for the misdoings of a small proportion. From his own personal knowledge he asserts that "out of some hundreds of Estates in his neighbourhood he has never heard a single whisper for thirty years past of any secret or concealed incumbrance." Admitting, however, the possibility of one such occurring in a thousand, was that sufficient cause, he asks, for creating such great inconveniences as a registry would be to the nine hundred and ninety-nine innocent landowners?

In connection with the fourth objection, an advocate of registration frankly admits that men might find considerable difficulty in registering those titles and incumbrances which had their origin in the remote past. An infant whose deeds were in the hands of trustees could not be expected to observe the rules of a registry—a difficulty which also applied to persons beyond the seas; and to those who had lost or parted with their titles, thus becoming unable to perform the duty required at the proper moment.

In reply to such prejudices of his scheme as these, the advocate of a public registry contends that the proportion of people who now lose their capital in the purchase of lands and loans on account of bad titles is considerably greater than that of people who would suffer thus under compulsory registration, and that the many must not be sacrificed for the few. Then, too, infants had their guardians, and those beyond the seas their trustees, to watch over their interests; and even those who had failed to produce their titles in due time, might prevent purchasers from dealing with their lands by being allowed to enter a *caveat* in the registry. It was true, he admits, that the law thought it wise to make especial provision for infants, femes covert, and persons beyond the seas, in the matter of fines: yet the two cases were not on all fours, there being far more danger in the case of fines for even a legal expert to be, through ignorance, defrauded of his estates, than in that of registry.[1] Another objection might be raised to his scheme as it affected wills and testaments, which when suppressed for several years might lead to a loss of rights by beneficiaries on account of some innocent action on the part of the heir at law in selling the estates devised. The remedy for this was to limit the suppression of all such documents to a certain fixed period, beyond which they became invalid unless produced.

[1] It may be mentioned, in passing, that a writer who had set himself the special task of meeting this controversialist's arguments, contends that the case of public registration of deeds was, notwithstanding what had been advanced by his opponent to the contrary, parallel with that of finding a record for the uses of a fine or recovery.

This advocate of public registration[1] next sets himself the task of formulating a scheme which would, he thought, produce many good results without incurring the drawbacks enumerated above. And, first, he points out that the statute 27 Hen. VIII. c. 10 had intended to introduce the idea of a public registration, but it had never been brought to perfection. He now suggests the division of the various documents suitable for some form of registration under three headings, as follows:—

Deeds.
Wills.
Judgments, statutes, and recognisances.

He would provide that in future no estate should pass from man to man (by act executed in lifetime), and no use or trust of any estate be raised but by deed. That such documents should be shortened as far as possible by the substitution of certain short words for the long involved sentences then in fashion. That persons should be encouraged, by the ease with which the process could be effected, to enrol these deeds before certain recognised authorities at centres most suitable to the parties interested, and that twice a year the various authorities should be compelled under a penalty to furnish the clerk of the Enrollments in Chancery with copies. Such a scheme, he argued, was divisible for the three following reasons:—

1. That whatsoever estate, reversion, remainder, or contingent remainder or uses, a man may bar, by fine, or common recovery with single or double voucher, he may bar by a deed enrolled except as to the point of non-claimes, provision for infants and idiots.

2. That a deed enrolled may supply the defect of livery and seisin and attournment. But not as to forfeiture of the estate of him that makes it.

3. That uses may be as well created and executed upon a deed enrolled, as upon a fine or feoffment or release.

[1] *A Treatise showing how Useful, etc., the Inrolling and Registering of all Conveyances of Lands may be to the Inhabitants of this Kingdom.* By a person of great learning and judgment.

We get from another author valuable details of the same proposal. In the first place he sets out the ordinary form of the conveyance then in use, with all its unnecessary repetitions and lengthened verbiage. He then produces one complete form of legislation in lieu of the three Acts, in Elizabeth's and Charles the Second's reigns, dealing with the subject; and, thirdly, he advises the institution of a Public Registry of Deeds and Conveyances on similar lines to those in use in the counties of York and Middlesex.[1]

It is not our purpose to suggest how far such schemes evaded the difficulties which the opponents of registration had raised. Suffice it to say that the remedy, when it appeared, came from another direction altogether, and first attacked what was undoubtedly the origin of the evil by abolishing the practice of feigned recoveries. Since then the legislature has further obviated the necessity for registration, partly by putting obstacles in the way of the consolidation and tacking of mortgages, and partly by altering and simplifying the processes of conveyance.

[1] *Law Quibbles, or a Treatise of the Evasions, Tricks, Turns, and Quibbles commonly used in the Profession of the Law*, etc., etc., *together with Abstracts of all the late Statutes for an ending of the Law*, etc., etc.; and *An Essay on the Amendment and Reduction of the Law of England and a new Proposed Act of Parliament for a thorough Regulation of the Practice of the Law*, 4th edition, 1736.

## CHAPTER VI.

### THE POLITICAL ECONOMIST AND THE LAND.

It may have struck the reader that when men like Dr. Chamberlaine had begun to point out, for the benefit of their countrymen, flaws in the incidence of taxation and other drawbacks to the current systems of commerce and police, and to base their objections on logical grounds, there was a new departure in the relationship of the general public to the land.

In the argumentative writings of these pioneers of Political Economy we find, and we naturally expect to find, a considerable amount of error. It was the age of pamphlets, every one of which contained a queer mixture of truth and falsehood. Thus Chamberlaine based his appeal for legislative encouragement to tillage, not on any grounds connected with the public welfare as a whole, but simply for the special advantages that would accrue therefrom to the War Office. Most of the earlier economists approached the new subject from some particular standpoint of their own. The time when payments were made principally in kind was as yet not so remote that writers could have forgotten some of the advantages of the system. Thus, under the custom of paying all taxes in money, Sir William Petty points out[1] the following anomaly: "When the king has occasion to victual his ships at Portsmouth, farmers must carry their corn and drive their fat cattle to distant markets, in order to pay out of the profits thus derived, the very monies which would afterwards be reconverted by the king into corn and beef for the fleet." "Moreover," adds this author, "the farmer for haste is forced to undersell his corn, and the king likewise for

[1] *A Treatise of Taxes and Contributions*, etc., 1679.

haste is forced to overbuy his provisions." The substitution of a professional army in the immediate pay of the monarch for the old feudal machinery of national defence had, however, swung the pendulum of exchange into a direction distinctly opposite to the old methods of barter, and the relationship between landlord and tenant was tending to become purely commercial long before economists ceased to mix up their definition of profits, wages, and rents with those personal services required by the old feudal polity. For the first principles of political economy we must indeed go back to the middle ages, when the exploration of the New World made all questions relating to the land subordinate to those of commercial interest. The discoveries of Vasco de Gama and Columbus, and the development of the gold and silver mines of America, transferred the attention of economists from money's worth to money itself. Theorists placed so exaggerated a value on gold and silver that in their discussions they often used the term wealth as though it were synonymous with the standard medium of its exchange. No wonder that henceforth European statesmen based their whole policy on the best means of obtaining these metals. Colbert's trade regulations became the groundwork of French finance, and his preference for manufactures and commerce had a most injurious effect on the national agriculture. Out of such an economy arose the school of mercantilists; but it is wrong to suppose, as many have done, that they initiated that system of regulations and restrictions which was at the time hampering the whole of European industry.[1] The farmer and the trader had been forced into those particular grooves, which theorists from time to time thought best for the community, long before the commercial system came into being, and the mercantilists were only a degree less eager for economic freedom than their successors of the agricultural school. They refused to countenance a policy which prohibited the exportation of the precious metals altogether. They even recommended their exportation whenever there was a reasonable prospect of some such trade

[1] *Principles of Economics*, Marshall, vol. i. ch. iv.

transaction ultimately returning a larger quantity of specie than originally went abroad. Thus, for example, though the works of Richard Jones[1] relating to this period bear witness to many elaborate schemes of the economists for checking the exportation and encouraging the importation of gold and silver, we have the mercantilist Mun[2] remonstrating against such doctrines, and instancing cases where exceptions would ultimately prove of greater benefit to the community.

By thus pointing out how, on occasion, the individual could best benefit the society by managing his own affairs in his own way, the mercantilists were tending towards that policy of natural freedom which was shortly to become the watchword of the so-called physiocrats.

In England as well as in France there were not wanting advocates of this last phase of philosophical thought. Hobbes, as we shall see later on, had crude but wholesome notions on the true nature of wealth. Dudley North[3] was a pronounced champion of Free Trade, Locke was cautiously advancing along the right track, and Petty and Hume were giving birth to occasional utterances which afterward became the very essence of physiocratic teaching. But here in England the force of circumstances was not so powerful to direct thinkers in the right direction as it was in France. There the luxury of the court, the unlimited privileges of the upper classes, and the debased condition of the lower classes, combined to urge men like Cantillon and Quesnai to seek some outlet of escape from that artificial civilisation which was at the root of all their social distress. A company of politicians and literary men, with Quesnai, the physician of Louis XV., as their leader, began to teach the doctrines of a Free Trade even more comprehensive than those already promulgated on this side of the Channel by Sir Dudley North. Quesnai, in opposition to Colbert's predilection for fostering commerce at the expense of agriculture, advanced the theory that, by prevent-

[1] Richard Jones, a Professor of Haileybury College, who flourished *circa* 1790–1855.

[2] *England's Treasure by Forraign Trade*, 1664.

[3] *Discourses upon Trade.* Sir Dudley North, 1691.

ing the exportation of corn, the French Government had been acting in a direction inimical to the best interests, not only of the husbandman, but of the trader and manufacturer. He and his school sought not so much to increase the State funds as to lessen the poverty of the peasant. Their main object was to raise the condition of human life, not to augment the incomes of capitalists. They discovered that the earth was the one source of wealth; unfortunately they thought they had also made out that labour was altogether incapable of producing any new value except when employed in extracting the earth's treasures. Quesnai admitted that manufacturers and merchants were of considerable value to the community, but he contended that as they realised no net surplus in the shape of rent, they added to the raw material by their industry, nothing beyond what is equivalent to the cost of converting it into commodities, carrying it to market, and supporting themselves. The origin of the mistake was a wrong conception of rent. Quesnai saw that only the cultivators of the land pay rent, and imagined that agriculture was the only kind of industry which yielded a net surplus over and above the expenses of production. It might therefore be thought that he would have made an exception to his great principle of freedom in allowing some form of protective legislation for the agriculturist. But even here he would not submit to any infringement of his universal precept, which was curtly but fully expressed by the terms "laissez faire" and "laissez aller."

One of the chief services rendered to mankind by Quesnai's teaching was his discovery of the original source of all wealth. No one except Nicholas Barbon, prior to Adam Smith, seems to have been able to accurately define this expression, generally because, as Mill has shown us, men confused the two terms value and price. Quesnai imagined that the produce of the soil was wealth before it had been rendered by human industry a marketable commodity. Any one who had some faint inkling of its signification described it as consisting of all the material commodities which man may use to supply a want or to procure an enjoyment either to his sensuality, his fancy, or his

vanity. Others distinguished between public and private wealth, assigning to the former a value in use, but no value in exchange, and to the latter an exchangeable value, but no value in use; and such made public wealth to consist in the exchangeable value of the net produce; and whilst one authority stated that it is whatever is superfluous, another had thought that it consisted in the totality of the private property of its individuals. The latter, indeed—viz., Sir William Petty—was on the right track in so far that he was following in the footsteps of John Locke and Josiah Child, and appealing to the teaching of nature as the apparently sole avenue of escape from the artificial laws of an enslaving and perverted civilisation. But by the end of the first half of the eighteenth century, there was, as we have said, even in England an occasional glimmer of the real truth. Hobbes had shown that "the valuation of a Commonwealth consisteth in the plenty and distribution of materials conducing to life." "As for the plenty of matter," he says, "it is a thing limited by nature to those commodities, which from the two breasts of our common mother land and sea, God usually freely giveth or for labour selleth to mankind."[1]

Asgill[2] was even more graphic still when he maintained that "what we call commodities is nothing but land severed from the soil: man deals in nothing but earth." But the light shed upon economic matters by the ideas of Hobbes, Asgill, Davenant, Wallace, Stewart, Petty, etc.; by the theories of the mercantile system; and by the doctrines of the French school, was soon to be eclipsed by the rising of a far greater luminary in the person of Adam Smith. That his views did not bear immediate fruit was rather owing to the bias created by the doctrines of the French Revolutionists in the public mind against

[1] *Leviathan*, 1651, ch. xxiv. "To my booksellers for Hobbes' Leviathan, which is now mightily called for, and what was heretofore sold for 8*s*. I now give 24*s*. at the second hand, and is sold for 30*s*., it being a book the Bishop will not let be printed again."—Sept. 3, 1668, *Pepys' Diary*.

[2] *Several Assertions proved in order to create another Species of Money than Gold.* John Asgill, M.P. (1696).

all innovation of whatsoever kind, than to any discoverable fallacies in his reasoning. Even Bentham, burning as he was for radical reforms, was so terror-bound by the course of events in Paris, that he became the champion of existing abuses rather than see all institutions placed at the mercy of the ignorant mob. Adam Smith had long been in personal touch with the leaders of the French school, and he established all that was beneficial in their teaching in this country. The way had no doubt to a certain extent been paved by the ideas of Locke, Hume, Petty, etc.; but any philosophical schemer who had hitherto gained the public ear had used his influence in directing the Government to restrict this industry and encourage that, to impose a fine on importation here and offer a bounty on exportation there, until no interest remained safe from their meddling propensities.

Adam Smith, on the contrary, following in the footsteps of Quesnai, would have swept all State restrictions away, basing the chief canons of his economical belief on the talent and enterprise of the individual. This was the competitive system, the very essence of which is free trade. The avowed object of all political economists has always been to advance a people's welfare. Smith endeavoured to show that this was most easily attainable by a strict adherence to that order of things which nature has pointed out. It must have been a novel experience for the British Treasury, this doctrine of masterly inactivity, especially at a time when every fresh theorist pestered each successive Chancellor of the Exchequer with entreaties to help or hinder by tax or bounty some particular industry. The very simplicity of the idea had its charm, and we can imagine the fascination of a system which suggested to a finance minister that his sole duty was to remove prohibitions, not to inflict them. It was, however, as we have said, some time after Smith's work appeared in print that his theories began to bear fruit. Philosophical reasoning of any kind had very little weight at first with the English statesman whose fiscal policy was generally influenced by circumstances such as the condition of trade, the necessities of war, or the patriotism of classes. But Pitt came to know the *Wealth of Nations*, as its

author admitted, quite as well as Smith himself; and during the last two decades of the eighteenth century extracts were more and more quoted in both Houses of Parliament. It is most important to bear this in mind, since, though physiocratic doctrines may have had little to do with our scheme of national taxation (a system, be it remembered, which ignored all other sources of revenue save the land), there are strong reasons to assume that these same doctrines prolonged its existence long after altered circumstances had rendered it unjust.

It is not to be supposed that Adam Smith produced any new economic system. His mission in the world of philosophic thought has always seemed to us to have been not so much that of an inventor as of a destroyer. In the systems which he overthrew, there were many isolated ideas which survived his adverse judgment. Out of such materials he built up a structure, which, to his contemporaries who regarded it as a whole, appeared novel, but, when picked to pieces by later critics, has been found to contain many familiar doctrines of the mercantilists and physiocrats.

So far as we have now described his views, he was in entire accord with the philosophy of the French school, which had resisted the attractions of the mercantile theory and gone back to the soil as the origin of all wealth. But there they had stopped short, as if overwhelmed by the discovery of a colossal truth. It was left for their Scotch brother to drag them onward to a practical use of what they had opened out to view. The treasure they had hit upon might, for any further effort of theirs, have lain for ever in its mother earth, had not Smith shown them that labour was the one universal agent for converting it into a nation's wealth. To encourage, foster, and increase labour was our great countryman's secret of successful management. Hitherto the politicians of England had restricted, hampered, and repelled it.

Even here, however, Smith was not originating any new theory; for Hobbes had shown that "plenty dependeth next to God's favour on the labour and industry of man."[1] Locke,

[1] *Leviathan*, 1651, ch. xxiv.

who was as much a physiocrat as a mercantilist, had said: "Let any one consider what the difference is between an acre of land planted with tobacco or sugar, sown with wheat or barley, and an acre of the same land lying in common without any husbandry upon it, and he will find that the improvement of labour makes the far greater part of the value." "I think," he says, "it will be a very modest computation to say that of the products of the earth useful to the life of man, nine-tenths —nay, ninety-nine hundredths—are wholly to be put on the account of labour."[1] Lastly, Hume had asserted that all real power and riches consist of the national stock of labour.

There are critics who have reproached Adam Smith with a wilful attempt to ignore Quesnai's assertion that he had only designed an economic system to meet the requirements of a purely agricultural country. Smith, they allege, applied it to our own commercial economy, found it naturally ill-suited, and took pleasure in exposing its defects. Without, however, thus diving beneath the surface of his mind, we may with profit examine the objections that he found to such an economy in this busy island of shopkeepers.

The French economists, we have said, had regarded agricultural labour as alone productive. Whatever wealth might exactly be, they recognised that its prime source was the soil, and that the labour of its cultivation was capable of producing not only the means of its own support, but a surplus which went to the increase of the existing stock. They imagined that the labour expended on manufactures and commerce could only augment the value of the raw material by the amount necessary for its own wants whilst executing the work. The landed proprietor, they rightly considered, was the first recipient of the community's wealth; in consequence, whatever is consumed by those not possessed of landed property must come directly from him, the primary owner. In this sense, therefore, the circulation of wealth would only be a succession of exchanges between two classes of mankind; viz., the landed proprietor who furnishes it, and the non-landed proprietor who

[1] *Essay on Civil Government*, 1689.

gives as its equivalent his labour and industry. They went on to argue that, since taxation is that portion of a nation's wealth applied to public uses, however distributed, it bears sooner or later upon the landed proprietor; and therefore they proposed that a system of direct taxation should replace the round-about methods adopted at present. And indeed at first sight it would have seemed preferable for the landed proprietor himself, if only to save the costs of middle men, both in the collection of the imposts and in the conversion of raw material into goods, to have borne directly the burden of all taxation and labour.[1]

To one like Adam Smith, who resorted to a natural solution of all economic difficulties, the very impracticability of the idea warned him of its error. Though no friend of the landlord, he refused to plunder him thus of his *produit net.* Though, like the physiocrats, prone to ascribe to agricultural labour an undue importance, by attributing the ability of the husbandman to make both rent and profit out of the soil to the co-operation of nature (a process which he excluded from all share in other industries), he was not prepared to half neutralise the successful effects of his influence by admitting the principle of *l'impôt unique.* That influence consisted in impressing upon his disciples that the end and aim of the economist was, not so much to find out how the *national wealth* could be increased, as how the *national labour* could be encouraged and fully utilised. Mindful of the heresies of the mercantile party, possibly suspecting their indirect influence in the present dilemma, he stamps out their last effects by explaining the origin and uses of money. It was, he pointed out, the natural result of a propensity which induces human nature to truck, barter, and exchange one thing for another. This process introduced the idea of some common and convenient medium of exchange, like the precious metals to which the term money came to be applied. These pieces of metal were, however, not the real price of anything, but merely represented an equivalent for the toil and trouble of acquiring the article

[1] *Wealth of Nations*, p. 39. Monsieur L. Garnier's Preface to the edition of 1809.

that they purchased. It was just as erroneous to imagine that power was wealth; for though wealth could secure either money or power, or both, no one of the three terms was synonymous or interchangeable with any other. Nor was money even the agency whereby wealth was produced. Labour is the real purchase price for all things, which never varies in value like the precious metals, and is therefore the ultimate and real standard by which the value of all commodities, at all times and in all places, can be estimated and compared. It was labour which in primitive times fixed the prices of the various spoils of the chase, and which now-a-days allows one gold-mine to be worked at a large profit, while it prevents another being worked at any profit at all. In labour, also, will be found an explanation of the anomaly which caused the proportion of college rents reserved in kind by 18 Eliz., though originally only one-third of those reserved in money, to be yielding, by Smith's day, double the value of the latter.

Having thus directed his reader's attention back to the chief theme of his discourse—viz., labour—he proceeds to apply this great wealth-producing machine in the most efficient manner to the ultimate end of all political economy. Wealth is every commodity which has an exchange value. It can only be increased or diminished in proportion as its exchange value is increased or diminished. If this definition of national riches be true,—and there is no reason to doubt that it is,—it follows that whenever the labour of agriculture produces an excess of what is wanted by the consumer, it ceases to be wealth. The necessaries of life may therefore become, even in an inhabited country, valueless if there are no capabilities of commercial intercourse. Though the soil is the source of all wealth, it does not necessarily follow that the produce of the soil is wealth. Wool, for example, is not wealth until converted by labour into an exchangeable commodity, and it is only regarded in commerce as wealth because it is presupposed that its proprietor has it in his power thus to convert it. Without, then, the existence of the manufacturer and trader the raw materials of the earth would cease to be wealth, and a large quantity of its food would fail in finding a consumer.

So far our author has proved the necessity and use of three distinct factors in a nation's wealth, and therefore of three distinct classes in every community. The rents, wages, and profits of public riches must be distributed among the three ranks of landlord, labourer, and merchant; but the power by which those public riches are created is labour, and they are diminished or increased in proportion as labour is diminished or increased. The true object, therefore, of the political economist at length appears in view. It is to increase the national labour, by perfecting its productive powers, and by augmenting the number of those employed in proportion to the increasing number of the consumers. When Adam Smith had explained the nature of the three great agencies—viz., division of labour, invention of machinery, accumulation of capital—for effecting these two modes of increasing the national labour, the object of his life was accomplished, and he had earned that universal fame which his countrymen have long since admitted was not more than his due.

But the great economist had not produced a faultless work. It has been remarked of that potent mistress to whom he always appealed when in want of advice, "*Natura non facit saltum;*" and it would indeed have been a mighty leap from the errors of the Quesnai school had nature produced from the brain of Adam Smith an absolutely immaculate system. His notions of what was natural were still tainted with the teaching of the physiocrats, and he often mistook what was unnatural for what his peculiar bent of mind imagined not to be so.[1] More perhaps by omission than in specific words, he implies that what might be most advantageous for the unit of society need not necessarily be most advantageous for society at large.[2] Though he admitted that agriculture was not the only productive industry, he believed it to be the most productive. Though he contended that whenever the State, even though prompted by the most disinterested motives, interfered with any industry, it did more

[1] *Principles of Economics*, ch. iv. Marshall.

[2] According to Professor Nicholson this implication of Smith's is proper.

harm to the community than any unrestricted action of the individual, however selfish, could do, he stultified such a conclusion by limiting the idea of productive labour to that which is "fixed and realised in some vendible commodity."[1] All labour is productive if it does not lessen the wealth of the society, because no individual will, from motives of self-interest, engage in an industry unless secure of some profitable return from it. Amongst the ranks of those assumed by Smith to have been engaged in unproductive labour, were many without whose protection the supply of what he classed as vendible commodities would have languished and grown less.[2] The mercantilists had regarded industry chiefly in its relationship with the military and political powers of the State. Ricardo, tainted by his commercial training with mercantilist leanings, regarded the labourer in much the same light as the Saxon thane had regarded his human chattels. Sismondi was actually obliged to ask him if wealth in his system was everything and men nothing. And indeed, by a subtle line of reasoning, this deep-thinking stockbroker had convinced his readers that labourers were one of those necessary evils included amidst the expenses of production.[3] Smith's views, therefore, were infinitely preferable to the cold-blooded argument of his great successor in economical thought; though, as a later writer pointed out, his distinction between productive and unproductive labour is calculated to arouse class jealousies.

We shall pass over Smith's erroneous theories on "value," and examine, as more relevant to our subject, his views on the relationship of the landlord to the community. This, of course, entirely depends upon his particular conception of the term "rent." And here it will not be out of place if we afford the reader a short historical sketch of the various theories on rents which have successively obtained a temporary notoriety up to the present day.

[1] McCulloch's *Literature of Political Economy*, p. 14.

[2] Id. *Ibid.* It must be remembered that even Mill's definition of unproductive labour was deficient, as it would have included the schoolmaster.

[3] *Principles of Political Economy and Taxation.* David Ricardo, 1817.

During both Tudor and Stuart periods rents were considered to be the one source of our national revenue. They were also imagined to be a barometer of our national welfare. Thus, if rents were high, we were prospering,—if the reverse, we were languishing. Under this impression the mercantilist statesmen had helped the farmer, in order that by paying a higher rent he might indirectly help the landlord to pay higher taxes. The public favours bestowed on agriculture were not therefore intended to promote the prosperity of the landlords, but of the commercial interests; and it was merely a lucky coincidence for the landlords that their welfare was considered to be inseparable from that of the community.

Dr. Cunningham has very ably shown that though Parliament in these times was an assembly of landlords, their legislation could never have been inspired by selfish aims. If increased rents had not been commonly associated with increased national prosperity, they would not have had the effrontery to advertise their motives for each fresh enactment by specific allusions in the Statute Book to the enhancement of rents. By the mercantilists, the enclosure of commons, the statutes against the importation of fresh cattle, and the facilities for exporting corn were supposed to be indirectly promoting trade, because they increased the value of land.[1] "An infallible sign," said Locke, "of your decay of wealth, is the falling of rents, and the raising of them would be worth the nation's care, for in that, and not in the falling of interest, lies the true advantage of the landed man, and with him of the public."[2]

But this is almost the last we hear of such a theory, for with the permanent assessment of the Land Tax, and the derivation of imposts from other sources besides the soil, the landlord's prosperity became the reverse of popular with the merchants. It is true that Adam Smith so far agreed with Locke that he spoke of rent as follows:—Rent is increased by every improvement in the circumstances of the community.

[1] *Growth of English Industry and Commerce*, Part II. pp. 192, 238, etc. W. Cunningham, D.D., 1892.

[2] *Considerations of the Lowering of Interest.*

It therefore follows that "the contrary circumstances," such as "the neglect of cultivation and improvements, the fall in the real price of any part of the rude produce of land, the rise in the real price of manufactures from the decay of the manufacturing art and industry, the declension of the real wealth of the society; all tend to lower the real rent of land, to lower the real wealth of the landlord, and to diminish his power of purchasing either the labour or the produce of the labour of other people."[1] In this sense he was led to infer that the interests of the landlord are inseparable from those of the community. Such reasoning does not, however, preclude him from recognising that the individual interest of the landlord can under certain circumstances become antagonistic to the other two interests which go to make up the wealth-producing factors in a society. Instances are easily found where the prosperity of either labourer or merchant, or both, might be detrimental to the landlord, and *vice versâ*. Thus, for example, a rise in rents, if neutralised by an equivalent fall in either wages or profits, is a loss to the merchant and labourer, and no gain to the community. On the other hand, a rise in wages, which, unless neutralised by a rise in prices, is a direct advantage to the labourer, leaves a reduced surplus to be shared by the landlord and farmer, and the reduction of the general rate of profits would benefit the owner of rents at the expense of the merchant.

But Smith would have gone further in this direction than most economists of the present day would be prepared to advance. He would have boldly asserted that agricultural improvements, such as the introduction of a new fertiliser, the invention of fresh machinery, and the better organisation of labour, would ultimately benefit the landlord only; that, in other words, the farmer as a farmer would receive, except temporarily, no advantage from such circumstances, though as a member of the community he would indirectly share in any benefit which improved its condition.

To Smith's views on rents must be attributed such reasoning

[1] *Wealth of Nations*, Bk. I. ch. xi. p. 348, 5th ed.

as the above. According to him the origin of rent is the limited quantity of land in comparison with the competition for its produce. The phrase "Margin of Cultivation" was as strange to him as his own phrase "Division of Labour" had been to the economists before him. And yet he recognised the situation created by a "margin of cultivation," though he failed to put it to any practical use in his theory of rents. He says: "Such parts only of the produce of land can commonly be brought to market of which the ordinary price is sufficient to replace the stock which must be employed in bringing them thither, together with its ordinary profits. If the ordinary price is more than this, the surplus part of it will naturally go to the rent of land. If it is not more, though the commodity can be brought to market, it can afford no rent to the landlord."[1]

But in a mind which had such exaggerated ideas of the advantages of agriculture, the possibility of land being incapable of affording rent to the landlord did not make any lasting impression. He rather insisted that any land must be capable of producing more than the food necessary to support all the labour required to bring its produce to market, and therefore that it must of necessity be capable of producing a rent to the landlord. Though from his point of view there was no distinction between the rent of mines and that of the soil, he would not admit that the circumstances which often prevented the first description of property from yielding a profit to the landlord could ever apply to the last. "Yet Adam Smith," as says Dr. Cunningham, "can hardly have meant to deny, what was certainly familiar to Sir James Stewart, and is rarely forgotten by British farmers, that it is possible to grow corn at a loss."[2]

According to Smith, then, the landlords possessed a monopoly in the soil; and therefore it followed that every improvement in, or encouragement of, agriculture merely increased those surplus profits which the farmer, after abstract-

[1] *Wealth of Nations*, Bk. I. ch. xi. p. 200, 5th ed.

[2] *Growth of English Industry and Commerce*, Pt. II. p. 565. Cunningham.

ing his costs of production and the usual rate of profit, must hand over to the landlord as rent.

But Smith, at any rate in theory, had admitted that there might be "parts of the produce of land" which would not afford a greater price than what is sufficient to bring them to market. From which possibility he argued that rent enters into the composition of the price of commodities in a different way from wages and profit. "High or low wages and profits are the causes of high or low prices; high or low rent is the effect of it." Sufficiently correct while he keeps in view, however indistinctly, the possibility of a margin of cultivation, he is liable to err as soon as he neglects this factor in his theory of rents. He elsewhere argues as though he supposed that rents affect prices, and refuses to be influenced by his friend Hume, who thus expostulates with him: "I cannot think that the rent of farms makes any part of the produce, but that the price is determined altogether by the quantity and the demand."

It has been contended that, had Smith held the Andersonian theory of rents, he would have altered the wording of his own work in one or other of its later editions. From his having allowed Hume's remark to go unchallenged, we can but conclude that he believed prices to be affected by rents. We must then bear in mind that arguing from the premisses on which Smith based his theory of rents, his conclusion was wrong; that arguing from those on which Anderson and Ricardo based their theory, it was equally wrong; but that arguing from what many in these later times conceive to be the true premisses, his conclusion was right. We shall see this the more clearly if we follow patiently the path of history until it brings us out at the end of this discussion.

The next economist who approached the subject of rent was Anderson, who in 1777 assumed the part of peacemaker in a violent controversy then raging in Scotland between the commercial and landed interests. The famous footnotes to his pamphlet contain a new doctrine, though what is now known in its entirety as the Ricardian Theory of Rents seems to have been evolved from the works of three authors; viz.,

*Enquiry into the Nature and Progress of Rent*, by Malthus; *Essay on the Application of Capital to Land*, by Sir E. West; and *Enquiry into the Nature of the Corn Laws*, by Dr. James Anderson.

The theory depends upon an exact definition of the term rent; and though at the present day such a definition is quite obsolete, it was to a certain extent at this early period the true economic meaning of the term. It was as follows: "Rent is the price paid by the cultivator to the owner of land for the use of its productive powers, and is equal to the excess of the price of the produce of the land over the cost of production on that land." In a highly civilised community then, where competition is a constant element in the letting of land, the proprietor is in theory entitled to the remainder of the price of the soil's produce after the farmer has paid the wages of labour, and received the customary return for his capital and trouble. Of course even Ricardo would have admitted that, in practice, custom and sentiment largely affect the question of amount. Assuming, however, that the theoretical definition was at this period correct, we must conclude that rent depended on the price obtained from agricultural produce. It does not, however, follow that the price of agricultural produce depends upon the rent. But in order to understand this we must explain the phrase "margin of cultivation."

There is some land in every country which does not pay for cultivation. In England and all densely populated countries it is generally the most barren soil. In Australia and other sparsely inhabited places it is, possibly, some of the most fertile but distant land. There is therefore a margin of cultivable soil which only pays as rent a purely nominal sum. Rent, therefore, is the difference between the price of the produce of any land and that of the produce of land at the margin of cultivation. It rises or falls in inverse ratio to the contraction or expansion in the margin of cultivation. If the producer's surplus be increased, the margin of cultivation widens; and if it decreases, the margin of cultivation narrows. The producer's surplus is increased whenever, *cæteris paribus*, (*a*) the inventions of machinery lower the cost of production; (*b*) a rise takes place

in the prices of agricultural produce; (*c*) a fall occurs in the rate of wages or profits; but principally (*d*) when any rapid increase in the population arises.

Apparently the margin of cultivation would also be extended were rents abolished; but in that event two occurrences would be liable to occur; *i.e.*, the producer's surplus would be increased, and prices of farm produce lowered. Now, according to the Ricardian theory, these two results would have diametrically opposite effects on the margin of cultivation, which would tend to spread in the first case and diminish in the second. Are we to suppose, therefore, that these two opposing forces would neutralise each other, and the margin of cultivation remain stationary? That is exactly what would happen; but it is more scientifically accounted for by stating that as the same cultivable area and the same rate of profits would be required after as before the abolition of rents, it is clear that both producer's profits and consumer's costs are determined entirely by the rate of profit obtainable from lands at the margin of cultivation. The important fact follows that corn is not high because a rent is paid, but a rent is paid because corn is high. The admission, however, of foreign produce into the home market would have at once upset such reasoning as this; but then Ricardo never, as we shall see later on, contemplated any such intruding factor into his calculations. There is no doubt that the necessity for a protective tariff, which his doctrines indirectly inculcate, exposed them to the fierce antagonism of the Manchester school; and so we find the author of the *Catechism of the Corn Laws* attempting to re-establish that less cordial relationship between the landlords and the community which had been enunciated by Adam Smith.[1]

During the last hundred years the nature of rents has been undergoing a rapid change. Even Smith in his day recognised that the expression covered more than one species of return from the soil. Ricardo, when he defined it as "the price paid for the enjoyment of the original indestructible powers of the soil," knew just as well as Mill that many a farmer pays

[1] *The True Theory of Rents*, by the author (Col. Thompson) of *The Catechism of the Corn Laws.*

rent for the enjoyment not only of the original indestructible powers of the soil, but of its acquired and partly indestructible powers contributed subsequently by the landlord's capital. As it is generally impossible to discriminate between what is due to pristine fertility and what is due to permanent improvements, the landlord has to suffer that portion of his income which is really profit to follow the laws of rent. Hence he is always liable to lose a portion of this revenue by the exhaustive or slovenly farming of his tenantry. On the other hand, in the days prior to the Agricultural Holdings Acts, he often, as Adam Smith takes care to point out, obtained an augmentation of such profits by being able to increase his rents out of capital left in the land by an outgoing tenant.

Marshall, in these modern times, has carefully differentiated the somewhat general term of "producer's profits" by distinguishing that portion of it due to the landowner as rents and quasi rents. It is premature to examine the latest phases of this theory of rents, but we may briefly add that the more the term signifies profits on capital and loses its earlier meaning, the more fallacious do the theories of Smith and Ricardo become. But in the chapters which more immediately follow, it will be well to bear in mind that economists imagined that State aid to agriculture only assisted the landlord and the sources of direct taxation. As long as the land impost and poor rates were paid regularly, the prosperity of the landlord would perforce become a very secondary consideration to statesmen, and the only reason for leaving him his Corn Laws as long as they did leave them was, probably, because during the naval war with France it was thought safer to possess as much available home-grown wheat as possible. Nor was active opposition to land-owning rights to be expected as long as rents were not considered to affect prices, and the landlord was seen to be expending his profits in the development of agriculture. Ricardo's theory of rents was likely to hold its ground so long as competition for farms continued, and that would be while the producer retained his monopoly in the home market. To Adam Smith, however, the relationship of the landlord with the community appeared in quite a

different aspect. He disliked the landed system because it interfered, he believed, with the freedom of action of the producer. He disliked the landlords, because he imagined that any encouragement which the State might extend to agriculture must find its way into their pockets; and he doubly disliked the bounty system, because it seemed to him to help the landlord at the expense of his *protegé* the labourer. To reduce the costs of living, and thus improve the lot of the wage-earner, was one of Smith's chief aims; and therefore the whole of his great work resounds with the knell of the Corn Laws. The real cause for wonder is that their repeal was delayed so long after his book appeared in print. For all this he incurred the wrath of Anderson, who partly saw through and exposed the flimsy basis on which these prejudices were founded.

Later economists have learned how drastically the march of events tests economical dogma. Who knows, if Smith had lived long enough, that he might not have favoured Protectionist principles! Even Ricardo might have modified his views had he survived the period when a vast increase in the population coincided with a vast drop in the rental value of land. It is more than probable that the advocates of the agricultural theory would have entirely reversed their fiscal policy had they lived to see the days when, as an effect of Free Trade, the chief sources of the nation's wealth were derived from soil in the possession of foreign landlords. The tendency of each successive school of economical thought was to unduly exaggerate the importance of some particular interest. Thus in Colbert's times the encouragement of commercial enterprise became the end and aim of the statesman; in Quesnai's this was replaced by that of agriculture. Smith apotheosised labour, and a little later the condition of the pauper became the theme of the economical philosopher.

As the century drew to its close, some splendid additions of economic facts were contributed by Anderson and Young to the theories already supplied by Hume, Stewart, and Smith. Early in the present century Malthus wrote a history on the growth of population, Eden one on the poor.

Ricardo's theory of value, though misunderstood by Malthus and fiercely attacked by Jevons, has held its ground, and, according to McCulloch, has raised his services to a level with those of Locke and Smith. "His great object," says this same author, "was general principles; he often overlooked the circumstances by which they are occasionally countervailed."

Like many of the political economists of this period, he was a business man, and the influence of the Stock Exchange permeates his writings. Money matters were discussed almost as though the old days of the mercantile system had returned. But this school of business men, themselves influenced by the circumstances of their livelihood, did not take into account in their economical theories the same influences at work in their fellows. The popularity of both Smith's and Ricardo's teaching became therefore considerably lessened as soon as the writings of J. S. Mill appeared in print, because he, and still more so the later economists, gave much greater prominence than did their philosophical predecessors to the idiosyncrasies of individual human character. It was by utilising the human as opposed to the mechanical element in Political Economy that the Socialists, though generally men of little scholarship and research, obtained an important hold on the public ear.[1]

It is strange how all the earlier philosophers, even the historian Hume, have failed to utilise the teaching of the past in their economical ethics. The comparative study of history, and the theory of evolution, have since proved themselves important factors in all philosophical questions of this description, and have been fully taken into consideration by such later authorities as Mill, McCulloch, Jevons, and Spencer.

It would be out of place to discuss here the altruistic teaching of the Positivist school, though indirectly the influence of Conte, of Carlyle, and of Ruskin, has had its effect on the economical philosophy of modern authorities, and through the latter on the relationship of the Landed Interest with the community.

[1] *Principles of Economics*, ch. iv. Marshall.

## CHAPTER VII.

### THE LANDED INTEREST IN ITS RELATIONSHIP TO THE COMMUNITY.

We have shown how the extravagant ideas of the earlier economists on the subject of trade had forced many philosophical theorists of the eighteenth century back to a study of nature, in which they found not only a refuge from artificial restriction, but a reservoir of fresh ideas on all subjects of domestic importance. We have demonstrated how, to Quesnai and his following, agricultural labour was alone productive, while all other industry was barren. But if the produce of the soil was the gratuitous gift of the land, and if the surplus that remained after paying all the expenses of production belonged to the landlords, it followed that the latter possessed the one sole source of national wealth, and consequently that they alone could distribute it amongst the community. Therefore on them fell the payment of all taxes, and so it was but right that in their hands should rest the reins of government. It further followed that since from the landowner the public funds were alone derivable, the Government, by thus sharing in the net produce, became a co-proprietor of the soil. By theorists such as these an undue importance was attached to everything connected with the land, and the practice and customs of its cultivators became of national importance. For, as Adam Smith pointed out, the great body of the people was far more deeply involved in a system of profitable husbandry than the landlords. "If," says he, "the land, which, in one state of cultivation affords a rent of ten millions sterling a year, would in another, afford a rent of twenty millions; the rent being, in both cases, supposed a third part of the

produce; the revenue of the proprietors would be less than it otherwise might be by ten millions a year only; but the revenue of the great body of the people would be less than it otherwise might be by thirty millions a year, deducting only what would be necessary for seed."[1]

Save here and there in the works of the economists who were contemporaries of Quesnai, we shall find that the mercantilists' system had by now become confined to the Italian school of political thought. Genovesi, Beccaria, and others still championed this moribund philosophy; but in France and England the theories of the agricultural economists, as we shall see throughout this chapter, had become prevalent. And yet before that the well-balanced reasoning and the comprehensive teaching of Smith and Ricardo had educated the public mind to strike a happy mean between the extravagancies of the mercantilist and those of the agriculturist, it was not altogether beneficial for Great Britain that the prominence attributed by the former to commerce should be utterly ignored. "Trade," said Dr. Davenant, "is the living fountain whence we draw all our nourishment; it disperses that blood and those spirits through all the members by which the body politic subsists." "The greatness of a State," said Hume, "and the happiness of its subjects, are generally allowed to be inseparable with regard to commerce." Without such counteracting doctrines as these, the agriculturist party, in their revulsion of feelings regarding the source of wealth, might have altogether ignored the important relationship of commerce to the circulation of the produce of labour.

On the other hand, it was well to believe that one of the strongest proofs of approaching national decay was the decline of agriculture. This was no new creed, for Columella had sounded the knell of his countrymen's greatness as soon as he began to see Roman husbandry ridiculed and neglected.[2] Nor was it otherwise than prudent for the nation to realise that no people could in general be secure of its independence, unless the soil furnished a sufficiency of the necessaries of life for its

[1] *Wealth of Nations*, Bk. V. ch. ii. p. 257, 5th ed.

[2] *De Re Rustica præf. et lib.*, etc., 1 and c. 3.

inhabitants. So far the Dutch, partly owing to the friendliness of their neighbours, partly to their resources from commerce, and partly also to their facilities of access to the interior by means of their elaborate system of canals, had proved the exception to this general rule. But the Neapolitans had often been obliged to stave off general starvation by buying corn at famine prices. Even fertile France had been reduced to the verge of want, so that in 1744 she was entirely dependent for subsistence on the imports of England, her hereditary foe. Secure as the Dutchman had hitherto seemed to be in relying on commerce for his profits, the Frenchman on his manufactures, the Spaniard on his mines, it was only too possible for the untoward circumstances of a single war to place each of them on a par with such nations as the Swiss, the Poles, and the Danes, who had agriculture alone to look to for the necessities of national life. It is not only essential that a country's soil should be prolific, it must also be well cultivated. Italy, for example, with all its natural sources of fertility, had so discouraged the husbandman that famine was seldom wholly absent from the peninsula. Did, then, such arguments apply to Great Britain? Was she absolutely dependent on her own resources for the necessaries of life? If not at present, might she not become so under the stress of adverse circumstances? A dependence solely on native agriculture would imply that a nation was self-supporting. How far Great Britain was so self-supporting it was difficult to say. Cultivation requires the employment of a great variety of carriages and implements. Its products clothe as well as feed mankind, and the manufacture of woollen and leathern goods monopolises a large amount of the national labour. Then again the term "necessaries of life" is very elastic. For example, the necessaries of one nationality might very well be the luxuries of another. The rice, wine, oil, silk, spices, and sugar of a southern climate are therefore exchanged for those products of cultivation better adapted to a northern soil, and after prolonged use the luxuries of one generation become the necessaries of the next. On the other hand, if nothing can be rightly called a necessary for which a cheaper

and equally wholesome substitute could be found, then Great Britain may be said to have been capable of subsisting on her own products. We use here the past tense advisedly, for circumstances alter with the times, a fact the importance of which the political economists of this period strangely neglected.

But whether or not Great Britain was capable of becoming self-supporting as regards the necessaries of life, it was, to say the least of it, doubtful if she could produce a sufficient surplus from her agriculture to utilise as sources of profit. The national expenses and the interest on her Funded Debt required more revenues than her husbandry and its dependent manufactures could produce. The question then arose whether any alteration in her present system of land tenure and husbandry would enable her to become self-supporting, not only as regarded her necessaries of life, but as regarded her State expenditure.

All that has been now said goes to prove that it was in no sense an impertinence of the outside public to inquire into, and even to interfere with, that economy which the landed classes had for ages been building up on British soil. But, as we shall show before we have finished, in the exercise of such rights of interference the community might very soon overstep the bounds of equity and justice and intrude upon vested interests.

The first problem which occurred to the mind of the thoughtful economist was whether more produce were capable of being extracted from the soil, and if so, how could the demand for it be made to keep pace with its increased supply? Smith had only just been demonstrating that produce is not wealth until it has become a vendible commodity, and that a glut of goods in the market did not increase a nation's prosperity.

Now a great authority had asserted that the Britain of this period was capable of producing four times the corn necessary for one year's food consumption of the then population.[1]

[1] *Essays on Husbandry*, p. 51. Canon Harte.

Another authority, an extensive proprietor of corn mills, had also maintained that, under the existing circumstances, it would have taken her thirty-four years to lay by the bread of one.[1] The first of these authorities (Harte, Canon of Windsor) had estimated the arable land of England and Wales at 15,000,000 acres. Out of this probably ten million acres were annually cultivated with different kinds of crops; one-fourth of the produce of which would be used for feeding cattle or would be destroyed by birds and insects, and another fourth would be required for malting and distilling; leaving only five millions for making bread, or raising leguminous crops, such as peas, potatoes, etc. The second of these authorities (Charles Smith, the corn factor) had made the following table of an average year's corn dealings in England and Wales:—

| | Growth. | Consumption. | Exports. | Imports. |
|---|---|---|---|---|
| Barley . . | 4,603,272 | 4,433,125 | 171,253 | 1,106 |
| Oats . . . | 4,240,947 | 4,252,725 | 3,737 | 15,515 |
| Rye . . . | 1,063,652 | 1,030,000 | 36,591 | 2,939 |
| Wheat . . | 4,046,603 | 3,840,000 | 210,771 | 4,168 |
| | 13,954,474 | | | |
| Seed . . . | 1,395,447 | | | |
| | 15,349,921 | 13,555,850 | 422,352 | 23,728 |

From these statistics Arthur Young[2] deduced the following facts, corroborative of both the above statements. First, that the annual exportation, which might be considered as the surplus produce after the wants of the nation had been supplied, was barely one thirty-second part of the consumption; one thirty-third part of the growth, exclusive of the seed; one thirty-sixth part of the growth, including the seed; and not near one-third of the seed itself. Secondly, it having been estimated that 62,000,000 acres could be forthcoming if required for some form of cultivation out of a supposed area in the British Isles of 72,000,000,[3] it was possible for the popula-

[1] *Three Tracts on the Corn Laws*, p. 203. Charles Smith, 1766.

[2] Observe, however, Young's perplexity on this subject expressed in the note on page 55 *et seq.* of the *Farmer's Letters*, and in the note on page 98 of the *Political Essays*, etc., *sub voc.* "Agriculture."

[3] Id. *Ibid.*, p. 92. That this was an exaggerated estimate we now

tion to become at least quadrupled without the country ceasing to be self-supporting. Setting aside 22,000,000 acres of the entire supposed cultivable surface for grasses and woods, Young roughly[1] apportioned the remaining 40,000,000 acres as follows:—

| | | | | Quarters of Produce. |
|---|---|---|---|---|
| 13,300,000 acres of | peas | at 2 qrs. | = | 26,300,000 |
| 13,300,000 „ | potatoes | „ 12 „ | = | 159,600,000 |
| 13,300,000 „ | wheat | „ 2½ „ | = | 33,250,000 |
| | | Total ... | | 219,150,000 |

Supposing that four quarters of these combined food products were sufficient for the sustenance of one person,[2] 219,150,000 quarters would maintain 54,700,000 inhabitants of the three kingdoms. He admits, however, that nothing has been allowed for beer, and perhaps insufficient feed for sheep (considering the large national demand for clothing); but he points out that one quarter of wheat had been reckoned by statistical authorities as the average consumption per head of the population, and that therefore his allowance of four quarters of the above mixture would fully cover any such supposed deficiencies.[3]

Without, however, attempting to verify the accuracy of this calculation, which not only corroborates but probably almost doubles Harte's estimate,[4] we may admit that if there was any approach to the possibility of the cultivable surface of Great Britain and Ireland being sufficient to support many times the number of inhabitants then existing, there was an amount of latent elasticity about British husbandry which was practically unlimited. Any arguments, therefore, based on such a

know; for out of an actual area of 77,836,769 acres, only 48,000,000 acres are at the present day in a state of cultivation. But for the purpose of Young's contention we may ignore this fact and accept his estimate.

[1] I say "roughly" because neither Young's spelling nor his arithmetic can stand close scrutiny.

[2] Sir John Lawes' estimate at the present day is under six bushels per head, of which scarcely two are available from the home soil.

[3] *Essays*, *sub voc.* "Agriculture."

[4] Harte's estimate, unlike that of Young, did not extend to Scotland and Ireland.

foundation would seem to be neither frivolous nor ill-constructed. How, then, could these latent powers of production be developed so as to insure the greatest possible good to the community? Was it best to withdraw that portion of the population from manufactures and set it to work on cultivation? Here, however, opinions were divided. For, on the one hand, Wallace[1] had declared that "The more persons employ themselves in agriculture and fishing, and the arts, which are necessary for managing them to the greatest advantage, the world will be more populous, and, as fewer hands are employed in this manner, there will be fewer people. It is of no consequence in this argument how the people are employed otherwise; nay, though they are employed in arts which may increase the riches and numbers of particular nations, if they are not employed in such as are necessary for providing food." On the other hand, Sir James Stewart had opined[2] that "It does not follow from the importance of agriculture that almost everybody in the State should be employed in it; that would be inverting the order of things, and turning the servant into the master. The duty and business of man is not to feed: he is fed in order to do his duty and to become useful." So also in another place he says, "That if an additional number of people produced, do no more than feed themselves, then I perceive no advantage gained to the society by their production."

Now it is important to notice that at the root of this controversy were several questions, some of which still vex land reformers. The principal of these were the effects on national prosperity of the old and new systems of husbandry, of the sizes of estates and holdings, and of peasant proprietorship and tenant farming.

Let us then follow this controversy of Wallace and Stewart through these various phases, taking care not to neglect the historical importance of the arguments used.

We have, on the one hand, Wallace asserting that, as regards the general welfare it was impossible to employ too much

[1] *Numbers of Mankind*, pp. 19, 21.

[2] *Inquiry into the Principles of Political Economy*, pp. 25, 32.

labour in agriculture; and, on the other hand, Stewart warning us that, unless the husbandman produced more than he consumed himself, he was of no use to his neighbours. Arthur Young, whose wide and practical knowledge of agriculture constitutes him an authority, suggests the possibility that these two ends are reconcilable.[1] In fact, he tries to prove that no individual could feed himself without in some way assisting his fellows. He supposes the two instances from real life that he believed approached nearest to the conditions, where Sir James Stewart's warning would be applicable. One might be found in the vine-producing districts of France, where land situated about the villages was divided into small lots which belonged to the peasants. The greatest frugality prevailed, the best process of cultivation possible was practised, the smallest weed utilised as cattle fodder, and the entire produce consumed on the holding. But though nothing was sold, something, such as salt and manufactures, was required; and the peasant, hiring out the spare time of himself and his family for vine-dressing or other land requirements, where a surplus of production demanded extra labour, was just able to earn sufficient to buy such extraneous wants and pay the State taxation. A similar case might be imagined in England, where a freeholder squeezed out of his estate just sufficient to support and clothe himself and family. It might be said that their respective countries would have suffered no loss had both owners and holdings been swallowed up by an earthquake. But in the one case the services of the vine-dresser were lost to his nation, and in the other case the birth of children to the freeholder, which might have helped to man his country's

[1] *Political Essays Concerning the Present State of the British Empire.* Anon. London: Strahan & Cadell, 1772. This work has only recently been attributed to Arthur Young (*vide* Catalogue British Museum, 1892). Through the kindness of Mr. H. Ward, of the British Museum, I have been enabled to trace back to its source the reason for thus fathering it on Young. Mr. P. Anderson (also of the British Museum) has recently written a Bibliography of Young for Mr. A. W. Hutton's edition of the Tour in Ireland, in which he includes the above work on the authority of an article in the *Quarterly Review of Science*, etc. (vol. ix., J. Murray, 1820), written by Young's physician, Dr. Paris.

fleet and army, was prevented. It was just these exceptions in either case which induced the author to apply the scriptural precept to secular circumstances, and contest not so much the possibility as the probability of any man being situated amidst circumstances where he could live and die entirely to himself.

Young therefore adopts the favourite physiocratic theory; viz., that the employment of the greatest possible amount of labour in agriculture ought to be the chief aim of the public benefactor. It follows, of course, from such reasoning that agriculture should be made capable of maintaining the greatest possible amount of people. Now lands devoted to the cultivation of the vine, lucerne,[1] etc., employed double and treble the quantity of country people to those cultivated with corn, but did not afford the same amount of direct human food. Was, then, that class of farming preferable which produced the greatest amount of human food, even though it employed a smaller proportion of labour?

It seems so clear to modern thinkers that the last economy is preferable in every way, that we wonder how there could ever have been any doubt on the subject. But we must bear in mind that, at the period under discussion—firstly, there were supposed to be 15,000,000 acres of improvable waste; secondly, that, even under the old husbandry, farmers were producing sufficient to support themselves, their labourers, and the manufacturers; and thirdly, that a school of thought was in the ascendency which believed that the employment of what was then a limited labour population in anything but agriculture was a misappropriation of scarce material. Can we then wonder if some economists imagined that any increase in the labour stock implied an increase in the national wealth? It was long after, that Ricardo had demonstrated that it is not the gross produce of the land and labour that is important for the society as a whole, but the net national income; *i.e.*, that if the excess of the produce over the cost of production remained constant, it was of no public importance whether the

[1] Young's knowledge of farming was not perfect, as we shall have more than one occasion to point out; lucerne, nowadays at any rate, requires very little cultivation.

population consisted of ten or twelve million souls. If five millions of people produced as much necessaries of life as would feed and clothe double their number, the produce of the five millions would still be the net income, even though there were seven millions producing food and clothing sufficient for twelve millions. This is because the employment of two millions extra in the processes of production could neither add a man to our army nor a halfpenny to our funds. If, then, the increase in population merely consumed the excess of produce occasioned by the employment of a larger amount of the national labour in agriculture, the net income of the community would not have been increased. The real question of benefiting the community depended upon whether the employment of the surplus population in agriculture would have produced more wealth, or as much wealth at a less cost, than if employed in manufactures. An increase, therefore, in population, unless it was employed in labour, which would ultimately add to the real net income of the nation, had no influence on the public wealth.

But these earlier economists (except perhaps Stewart) did not realise the importance of such an argument, and regarded an increase in the population merely as a godsend to agriculture. The object of the community was to promote the production of the greatest possible quantity of human food, for by so doing there would be an increase in the population and more labour available for husbandry. It was however, as we have said, recognised that the economy which produced the most human food did not necessarily employ the most labour. Tull's new drill husbandry, for example, had enabled the farmer to produce more direct human food with less labour than under the old system. The obvious solution of the difficulty would have been to export the superfluous food, pending the usual resultant increase of population, and, as soon as the latter became available, have employed it in the reclamation of wastes. It will be seen that the prosperity of the commercial industries did not much trouble such theorists as these. Young, if he had had his way, would have enticed all the townsmen into the fields, and exported the

surplus produce obtained by their extra labour until the multiplication of mouths required it for home consumption.

When he had got the last acre of waste reclaimed, he would be willing to devote any further multiplication of hands and mouths to such industries as were confined to the manufacture of native raw materials. But until that happy consummation took place, his policy was to induce the farmer to extend his area of wheat tillage by encouraging him to export corn; and he believed that, by thus getting him to sow more wheat than was actually required for home consumption, he was precluding all possibility of periodical famines, at the same time that he was increasing the national income. He therefore not only applauded the present practice of his rulers in granting bounties on exported wheat, but urged them to bestow them for the reclamation of the waste lands. In support of such a theory he produced statistics showing that in sixty-eight years the country had received upwards of £36,000,000 for her exported corn, and at the same time had fed her inhabitants cheaper by 9*s.* 3*d.*[1] per quarter than before the State encouraged exportation. From Young's particular standpoint such a phenomenon could only be explained by the supposition that the land reclaimed during this period had increased the national supply of wheat so enormously that the amount sent abroad (which he computed at only one bushel in twelve produced)[2] had never been able to affect prices in the home markets. Until, therefore, not an unremunerative acre remained in any corner of the United Kingdom to be fertilised, Young elected to continue a champion of the bounty system.

But Young did not confine the advantages of the bounty system to the agriculturist, for he sought to prove that it was also advantageous to the community at large, including the manufacturer. Colbert had imagined that by obstructing

[1] Compare *Three Tracts on the Corn Trade*, p. 133, Charles Smith, 1766; *Political Essays, sub voc.* "Agriculture," p. 112, A. Young, 1772; and *Farmer's Letters*, No. 2, p. 60, 2nd ed., A. Young, 1768.

[2] According to the statistics of Charles Smith quoted above, the proportion was 1 to 19. *Three Tracts on the Corn Laws*, p. 144.

the free vent and exportation of corn, he would lower the price of bread in France; and that when once he had secured an abundant supply of cheap food, he could then easily set about encouraging native manufactures. But in a short while the French nation was supplying all Europe with silks and embroideries, while famine began to appear at shorter and shorter intervals at home. Taxation increased, the margin of cultivation expanded, and the price of corn rose rapidly. The home markets began to be supplied with Dantzig wheat, the native husbandman gave up farming in disgust, until the State, becoming alarmed, reversed its unfortunate policy and encouraged corn husbandry once more. Young had heard of all this during his travels in France; he had studied the writings of French authors; and he not unnaturally concluded that, if all this distress had been occasioned by artificially restricting the exportation of corn, considerable advantages would be derived from an entirely opposite practice.[1]

Believing therefore, as he had asserted, that "Agriculture is beyond all doubt the foundation of every other art, business, or profession," and that "it has been the ideal policy of every wise and prudent people to encourage it to the utmost"; and again that "Agriculture, that greatest of all manufactures, ought to flourish to the full cultivation of the land, before what we commonly call manufactures take place as articles of trade and commerce; and after cultivation is at its height, those manufactures ought first to be encouraged which work upon materials of our own growth; and last of all those which employ foreign materials;" he embarked upon a controversy with the mercantilist school of economic thought, in which he was severely worsted. For Young, as a theorist, was very deficient, notwithstanding that his immense practical knowledge occasionally gave him a momentary advantage.

Let us, however, follow him in one of these arguments with the Manufacturing Interest, if only for the sake of seeing the other side of the question.[2]

This, as it presented itself to the opposite party, may be stated

[1] *Farmer's Letters*, p. 28. [2] Id. *Ibid.*

as follows:—Here in England are 15,000,000 acres of redeemable waste principally devoted to the maintenance of sheep. Under the present economy they employ large quantities of the people in manufacturing wool, amongst whom may be included many individuals who, either by old age or youth, are incapacitated from being otherwise advantageously utilised by the community. To illustrate the pernicious results of the enclosure system, a champion of the commercial interests cites[1] the following case: "One single act for enclosure has destroyed 11,000 sheep, all the breeding stock from off one ground within the county of York; and, of consequence, has taken away the employment of 600 manufacturers; and in nine years will prevent 80,000 sheep from coming to the shambles; but probably within that time may draw 20,000 pounds out of the public treasury in bounties, for sending the produce of corn abroad, and wounding this country in the most sensible manner. A barbarous policy this! and such a one as our forefathers of any preceding generation for two centuries past would have looked upon with resentment, but now unhappily adopted as a laudable and prudent measure in this. They encouraged and supported our woollen manufacturing with the wisest laws human prudence could suggest, from a clear conviction that the prosperity of the nation was connected with it; and their policy has been justified by fact, it having attained (in consequence of those measures) a degree of strength and opulence unknown to former ages."

Here indeed was a formidable attack on the enclosure system, striking through it at the Corn Laws, and based not on what might be found to be advantageous for one particular class, but for the entire community. Young, in answering it, had not only to bear such circumstances in mind, but to realise that, though attacking a mercantilist, he was writing primarily for farmers. If, in attempting to defend the Enclosure of Wastes from the wide standpoint of the public welfare, he failed to show tangible advantages to the agricultural class, there were many vacillating minds among the farmers who

[1] *The Occasion of the Dearness of Provisions*, by a Manufacturer, p. 22.

would be glad of any excuse to swell the ranks of those opposed to the new system. On the whole, Young handles his subject with considerable ingenuity. The "mercantilist" had drawn a picture of the case as it was before the Act of Enclosure; the "agriculturist" determines to contrast it with the case after the enforcement of this measure. The wild Yorkshire moorland[1] has never hitherto had a shilling of its absent landlord's capital expended upon it. So far it has been a wilderness, whose stillness had been broken only by the bleating of sheep. Suddenly it becomes the centre of a busy crowd. Besides the husbandmen employed in its reclamation, vast numbers of poor people are engaged in hedging, ditching, and planting, in building barns, offices, and houses, and in fabricating all the various implements of husbandry. By means of tillage, marling, and liming, crops of barley, rye, and turnips (Young ignores here his preference for crops affording direct human food) are made to realise far larger profits per acre than the wool, and fields temporarily seeded down with clover and rye grass sustain three times the quantity of sheep to the acre that the wild grass of the original waste did. The old people and children, deprived of their livelihood in the wool factory, find more healthy employment in weeding wheat, pickling seed-corn, "frighting" of vermin, planting peas and beans, slicing and dropping potato setts, etc., etc.

Let us, then, briefly recapitulate the views of Young's school of economy. They realised that the origin of all wealth is the soil, but forgot that its produce is not *per se* such until it becomes a marketable commodity. They, therefore, would have had the State refuse any encouragement whatever to manufacturers so long as some millions of waste acres remained to be converted into arable farms. But in their antagonism to commerce they drew a distinction between those industries confined to the manufacture of native productions and those relating to materials introduced from abroad. With the latter Young had no patience whatever, pointing out that, as his friend the Canon of Windsor had said, products raised from

[1] He was a competent judge in this part of the argument, having lately taken the tenancy of and tried to reclaim a Yorkshire waste.

native sources and converted by native industry into vendible commodities, realised thrice the profits in the foreign market that the same amount of similar goods manufactured out of foreign materials would do. From such a contention he lays down another fundamental principle; viz., "Never to obstruct or in any measure discredit the sale of the native cultivator's products in the favour of the people employed in the manufacture of foreign commodities." In the other case, that where the raw material was a native product, such as in the industries connected with wool and leather, he modifies his hostile attitude so far as to inculcate the more benevolent doctrine that it is a wise policy to "*harmonise*" agriculture and manufactures, so that "if one is in need of encouragement, it ought ever to receive it, if possible, without prejudicing the other."

But one of the mercantilists[1] had asserted that though the agricultural industry might not be able to flourish without the bounties, they, by serving to feed foreigners cheaper than our own people, and by enhancing the prices of native foods, increased the costs of production and drove trade from the country. "Foreigners," said he, "never buy provisions till they want them, and then they must have them, whether they give bounties or no." "Bounties on exported corn and fish and flesh, therefore, only serve to feed the French cheaper than our own people, and enable them to undersell our manufacturers in the silk, wool, and linen markets." Many others, such as Sir James Stewart, united in blaming the bounty system for the high price of provisions.

Now Young had taken the average values of wheat for the fourteen years previous to the introduction of bounties, and found the price to be £3 11*s.* per quarter, while for a similar period afterwards he had made it out to be £3 2*s.* 5*d.*; or, as we have said earlier in this chapter, prices had dropped *instead of risen* since the introduction of the bounty system. Young is not, however, to be supposed to have credited the policy of encouraging exportation with these results, but only that it had helped to widen the area of tillage land, and thus

[1] *An Essay on the Causes of the Decline of Foreign Trade*, p. 30. Sir Matthew Decker, 1744.

increase the supply of wheat. The primary object of the bounties was to raise the rate of remuneration of the wheat husbandmen at the expense of the consumer. Therefore we find Young in this particular argument adopting a widespread error, and asserting that the higher the price of provisions, the greater the productive powers of labour.[1] Economists evidenced the Dutch in support of this untenable theory—a nation which, though more heavily taxed, and paying higher prices for the necessaries of life than the English, was able to undersell us in our markets. "Their frugality and industry," Locke had said, "were so great from the high cost of provisions, that they could buy our rape-seed, make it into oil, and sell it at a less price than we could." "In order to advance the trade of Ireland," said Sir W. Temple, "provisions must be rendered so dear as to enforce general industry." "High taxes," said De Witt, "promote invention, industry, and frugality." Sir William Petty, Sir Josiah Child, and many others held that trade could never be greatly extended where the necessaries of life were very cheap. To such theorists the so-called sweating system would have seemed a public benefit; for, as Young argued, "workmen work to live; and if four days' earnings are sufficient to maintain them six, they will be idle the remaining two." Ricardo's theory of values was greatly needed here; for it is certain that if Young could have been shown the fallacy of this reasoning (which, after all, was not his own), he would have protested against a doctrine of high prices and artificially cheapened labour with as much indignation as Thorold Rogers himself.

But there were other problems attached to this controversy regarding the importance of the national agriculture—land even in France could be easily over-divided. If the whole area of French soil were split up into the tiny lots described earlier in this chapter, as prevalent about the villages of the wine districts, there would be no great vineyards, no hired vine-labour required; and therefore no funds available for the purchase of extraneous wants. This fact would at first sight seem to divide the agricultural industry under two dis-

[1] *Farmer's Letters*, No. 1.

tinct heads; viz., that practised as a means of subsistence and that exercised as a trade. But in the French peasant both instances occurred, for as proprietor he was self-supporting, and as vine-dresser he was trading; and Young has shown that no single real instance was forthcoming in which the one occurred without the other. In England, also, a multitude of small holdings no doubt existed, of such a size that their proprietors could combine both processes in the proper proportions to each other. An average case would be where an individual had to support a family of six persons on some twelve acres of land, eight of which were arable and four grass. The latter, with a little help from the former, would maintain two cows: under a proper rotation of cropping, the arable land is supposed to raise between two and three acres of wheat, two of barley or oats, two of peas, and two of clover annually. The man's wheat and the produce of his cows would support him, his wife, and five children in bread, butter, and milk; the waste products of the dairy, his clover, and offal corn would sustain some poultry and a sow; and his oats, clover, and part of his grass would keep two horses.[1] As a surplus, he would have the crop off two acres of peas, and one of barley. Out of the annual produce of his sow he would obtain eight pigs for market, and two for home consumption. By these means he would be able to defray the wear and tear of buildings, implements and clothing, and lay by annually something towards a fund intended to meet casualties. The balance would represent his trading stock. For the sake of argument, let us suppose that this small area of land was sufficient to support all these live-stock, bipeds and quadrupeds included; and that the climate and life was so healthy that casualties involving doctors' and veterinary bills might reasonably be excluded from the reckoning;—we have then to dispose of the peasant-proprietor's grown-up children. The entire

[1] Here occurs one of those numerous passages in the *Political Essays* which cannot but cause a doubt as to their authorship. How could such an expert as Young have imagined that twelve acres would either employ or maintain two horses? This error, however, does not invalidate his conclusions, and may be ignored by the reader.

cultivable soil of the kingdom being thus apportioned, we may, without stretching the bounds of possibility, marry the daughters to some of the neighbouring freeholders, and leave the sons to choose between a soldier's and sailor's life in the public service, or some of the various trades required to supply these little farms with building materials, household furniture, and implements.

From such reasoning Mr. Wallace and his school asserted that the way to render the nation as populous as possible, was to split up the whole country into small freeholds like the above, employing nobody in any arts but those of necessity, throwing the surplus population into the cultivation of fresh lands, and only utilising the ornamental industries for the employment and maintenance of the future increase of population. But there were men who were not prepared to admit that this increase in population would be unmixed good for the community at large. Some balance would have to be struck betwixt the numbers of the rich and the numbers of the poor. It is not to be imagined that even Wallace would have suggested that labour, entirely unsupported by capital, would benefit any State; and if no limits were fixed, the increase in the unemployed might grow out of all proportion with that of the employer. Sir James Stewart had asserted that, "In our days, the principal object is to support the lower classes from their own multiplication, and for this purpose an unequal division of property seems to me the more favourable scheme; because the wealth of the rich falls naturally into the pockets of the industrious poor; whereas the produce of a very middling fortune does no more than feed the children of the proprietor, who, in course, becomes very commonly, and very naturally, an useless burthen upon the land. Let us apply this to an example. Do we not familiarly observe, that the consolidation of small estates, and the diminution of gentlemen's families of middling fortunes, do little harm to a modern State? There are always abundance of this class of inhabitants to be found wherever there is occasion for them. When a great man buys up the lands of the neighbouring gentry, or small proprietors, all the complaints which are heard turn upon the

distress which thence result to the lower classes from the loss of their masters and protectors; but never one word is heard of that made by the State from the extinction of the former proprietor's family."[1]

Young, however, disagreed with both Wallace's and Stewart's views on this point; for though he quite realised that over-division of the land was to be deprecated, he refused to admit that the great capitalist was as much a necessity to agriculture as he might be to manufactures.

The idea that a landowner with an income of £50,000 employed as much rural labour as some five hundred freeholders possessed of £100 a year each, was, he asserted, not borne out by facts. For he contended that while the income of the squire of moderate means was entirely absorbed in the employment of productive labour, that of the great landed capitalist was only partially so. Who, he pertinently demands,[2] if not the Englishman of fortune, consumes French wines, employs the industrious gentry of Newmarket and White's, and hires the services of Italian singers and French dancers? "In both cases," sums up this writer, "the wealth falls into the pockets of the *industrious;* but what a wonderful difference is there to the public between the ends of such industry! The one is for ever exerted to the most beneficial purposes; the other to the most pernicious ones." It was, in fact, generally admitted that the country gentry of moderate estates were the main support of every kingdom.[3]

Granted, then, that the great capitalist might possibly be a useless, or even detrimental factor in the ideal landed economy of such theorists as this writer, we find ourselves committed to the principle that estates in land can be too large. The question, therefore, resolves itself into where the line should be drawn.

It was possible to divide some 60,000,000 acres of British soil into twenty-acre lots, capable of supporting three million families of six individuals each. Even then there was room

[1] *Inquiry in the Principles of Political Economy*, p. 126.
[2] *Political Essays*, etc., *sub voc.* "Agriculture."
[3] Id. *Ibid.*

for, say, eight million manufacturers required in order to supply the agricultural community with necessaries. In times when the population was little more than one-third of this number, and when the supply of land far exceeded the demand, there was something very plausible in this idea.

Let us admit, therefore, that up to a very wide limit the more land was sub-divided in England, the more populous she would become, and the more food she would produce; that where vast estates belonged to one individual, in nine cases out of ten he preferred to spend his spare time and capital in the pleasures of town life; and that on all such estates were to be seen great waste tracts used, if used at all, as sheep-walks. But it is difficult to agree with Young, when he goes on to say, that, were a little farmhouse and a few necessary buildings erected, and the property given to a stout labourer, together with twenty acres of the most barren land, he would soon make it fruitful.[1] Unfortunately, he does not state who was to give the land, whence the funds would be provided for the buildings; nor even how the stout labourer would find the means to stock and improve this wilderness. This latter requirement would probably exceed the value of the fee simple; and even supposing the landed proprietor were compelled by law to erect the necessary buildings, and let the waste in small twenty-acre lots, he would demand such a rent, as interest on his outlay, as would have left the stout labourer very little out of his annual profits to keep himself in that fine condition of muscular development in which Young evidently pictures him at starting.

The lord's waste, as we foretold very early in this history, had become an eyesore to the political economist; there was, however, no reason why he should wish to revert to another institution of the Teutonic Mark, viz., the unequal and minute subdivision of lands amongst the families of the community.

This controversy respecting the size of landed properties was no new one. It had been raging throughout Europe for many decades. The Marquis de Mirabeau, an adherent of the Physiocratic Philosophy, and father of the great Revolutionist,

[1] *Political Essays*, etc., *sub voc.* "Agriculture."

had just directed the attention of his countrymen to the subject; and the work[1] in which he denounced those vast domains "given over" (so he said) to tenants at will, or to indolent stewards charged with furnishing the means of dissipation and luxury to their owners, passing their lives in towns, and too proud to look after their estates, was so popular that it went through five editions in as many years.[2] He declared that the territory of a country could never be too much broken up, that its subdivision gave vitality to a State; and he instanced his personal experiences in having, by dividing a large field into several allotments, not only doubled his own rents, but made the peasant proprietors independent. This was classical ground, such an idea being in keeping with the best traditions of Roman and Grecian land tenure, and it was also quite in accordance with the philosophical and political tendencies of the age. Thus Arthur Young had said, "Give a man the secure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will turn it into a desert."[3] "The magic of property," he points out during his walk to Rosendal (near Dunkirk), "will turn sand into gold." "Leaving Suave," he says on another page, "I was much struck with a large tract of land, seemingly nothing but huge rocks, yet most of it enclosed and planted with the most industrious attention. Every man has an olive, a mulberry, an almond, or a peach tree; and vines scattered among them, so that the whole ground is covered with the oddest mixture of these plants and bulging rocks that can be conceived. The inhabitants of the village deserve encouragement for their industry; and if I were a French minister, they should have it. They would soon turn all the deserts around them into gardens. Such a knot of active husbandmen, who turn their rocks into scenes of fertility (because, I suppose, their own), would do the same by the wastes if animated by the same omnipotent principle."

[1] *The Friend of Man*, vol. i. chap. v. p. 80, 4th Edit.

[2] *Large and Small Farms, and their Influence on the Social Economy*, H. Passy, 1847.

[3] *Tour through France*, A. Young.

Yet in the same country, as we shall afterwards show, one hundred years later, a writer[1] attributed the backward condition of the national husbandry to "a demon of property," which induced men to invest their savings in land instead of devoting them to the improvement of its husbandry.

How, then, are we to decide this knotty question?

How can we reconcile the splendid agricultural results witnessed by Young across the Channel in the last century, with the disastrous results described by M. E. Leconteux in the present one; attributed respectively by the first "to the magic of property," and by the second to the "demon of property"?

Surely the answer is to be found in the circumstance, that in proper proportions the small freehold and the larger tenancy produce between them all the wants of a community; and that where the one is in a too great excess, there is a deficiency of one description of produce, and a glut of another.

We shall see this contention the more clearly as we proceed; for now we come to a hitherto neglected factor in the controversy regarding the size of individual farms which largely affects the general economy. There is a wide difference between the small farm occupied by the peasant proprietor, and the same sized holding occupied by a tenant at will, or rented on lease. Young, for example, was largely in favour of peasant proprietorship in France; but he had not one word to say in favour of her *metayer* system. Equally pronounced was his distinction between the capabilities of the small freehold and the small agricultural tenancy in England. When we come to examine some of his statistics gleaned in those three famous tours of his through rural England, we shall find him representing the large holding as more economical of labour, and comparatively more productive; while the number of persons actually employed in cultivating its area was not less than that employed on the smaller tenancy. Young, therefore, though preferring, if he could have seen any possibility of its adoption over here, the peasant proprietary system, would have subdivided existing estates into as few

[1] *Journal d'Agriculture Pratique*, M. E. Leconteux.

agricultural tenancies as possible. Hence we may infer that the large landed capitalist was not altogether an abomination in his eyes. In fact, when the French case came to be applied to the circumstances of English rural life, he found it to be wholly unsuitable. A general system of peasant proprietorship would have revolutionised our landed system. The only possibility for the small agriculturist in the landed economy as then (and now) composed, was as a tenant; and even could all the small farmers in the kingdom have been converted by some magic agency into freeholders, all Young's objections to *petite culture* on this side the Channel would have applied. The small farm, either for purposes of corn, grass, or mixed husbandry, required too much manual labour, for which the sum total derived from marketing its disposable produce afforded no adequate remuneration. The small farmer seldom had sufficient capital or science to practise any but the meanest improvements. It was very difficult to utilise entirely the horse power which was required in harvest and seed-time at less busy periods of the year. The reduction to a minimum of necessary building room afforded insufficient accommodation for rearing livestock, while the multiplication of farm homesteads on an over-divided estate considerably swelled the items of unproductive expenditure.[1] But why need we speak in the past tense? Do not the same objections apply equally at the present day, only that they are less prominent, because dwarfed by those circumstances which had not come into being when Young wrote. We know now that on the large holding there is that division and co-operation of labour which would have gladdened the heart of Adam Smith to picture. The evolution of machinery, the application of steam power to all the more important farming operations, has gone far to settle the question in favour of the large holding without the necessity of resorting to other arguments. The cost of a threshing-machine is beyond the means of any but the largest farming capitalist. The small holder, who hires it, must wait his turn, employ additional labour when using it, and defray the cost of its locomotion from place to place. The steam

[1] *Annals of Agriculture, passim.*

plough has obliterated the necessity for small fields, and utilised the ground formerly occupied by the fences between them.

Now, from Young's point of view, we have shown that the greatest possible quantity of direct human food was the chief object worthy of the State's attention. Sheep were all very well when kept on the enclosed holdings and fattened for human food by means of turnips and artificially sown grasses; but when maintained in large flocks on the wastes, principally for the sake of their wool, they ceased to be desirable in his eyes. This induced him to confer an exaggerated favouritism on the large arable farm. But other schools of thought were not so narrow in their views; and to them any form of husbandry which commended itself to the individual would appear best in the interests of the Society. Two consequences ensued: first, that any landed system which interfered with the free scope of the farmer was to be deprecated; and secondly, greater possibilities were forthcoming out of this more catholic policy for the smaller freeholder in the existing landed economy.

In the two qualities of intelligence and industry the French peasant had been shown by Young to be greatly the superior of the English labourer, and both these qualities were loudly demanded by many agricultural reformers of the period. Apart from this consideration, there was the fact that the landowner is far more interested in permanently increasing the remunerative properties of his farm than is the landholder. The difficulties in the way of co-operative labour among small landed proprietors, which would have prejudiced economists of the Adam Smith school against the introduction of small freeholds, were capable of being circumvented by some intelligent method,—such, for example, as the irrigation schemes carried out by the small proprietors of Norwegian soil. A compromise between the large tenancy and the small freehold—in other words, a system of large agricultural freeholds farmed by their proprietors—might have been invented, so as to have satisfied the conditions laid down by the majority of economists. But as this country became more thickly populated, the difference

between the market value of land and its agricultural value rapidly increased; so that the tendency has long been for the area of soil cultivated by its owner to decrease, until it has gradually grown more and more impossible to comply with the wishes of the earlier economists in this respect. In fact, the Small Holdings Act of 1892 is a progress as far in this direction as it would be prudent for any Government to take, though a century before Arthur Young had recognised the advantages of some such stepping-stone from the position of rural labourer to that of farmer.[1] Economists of this early period, however, failed to find any system of agriculture that could be rendered profitable to the English peasant-proprietor; for they despised pig and poultry farming, and ignored vegetable gardening altogether. The majority of them viewed with the greatest disfavour that land system left to this country as a legacy by the feudal lords of the Norman polity. As early as Tudor times the adverse influences of the famous statute *De Donis*, dealing with entails, had been pointed out. Lord Bacon had said that this Act hindered men who possessed entailed lands, so that they could not make the most of them by fine and improvement; because none upon so uncertain a state, as for the term of his own life, would give him a fine of any value, or lay any great stock upon the land that might yield rent, improved."[2] Adam Smith could find no terms of condemnation strong enough to convey his dislike of a land system which interfered with his views of philosophical agriculture. "To improve land with profits," says he, "like all other commercial projects, requires an exact attention to small savings and gains,[3] of which a man born to a great fortune, even though naturally frugal, is very seldom capable. The situation of such a person naturally disposes him to attend rather to ornament, which pleases his fancy, than to profit, for which he has so little occasion. The

[1] *Farmers' Kalendar*, Introduction. A. Young.

[2] *On the Use of the Law.*

[3] Could this be the same man who ignored, as too trivial, pig and poultry farming? Compare *Wealth of Nations*, Bk. III. ch. ii. p. 157, with Bk. I. ch. xi. p. 315. 5th Edit., 1809.

elegance of his dress, of his equipage, of his house and household furniture are objects which from his infancy he has been accustomed to have some anxiety about. The turn of his mind, which this habit naturally forms, follows him when he comes to think of the improvement of land. He embellishes perhaps four or five hundred acres in the neighbourhood of his house, at ten times the expense which the land is worth after all his improvements, and finds that if he were to improve his whole estate in the same manner—and he has little taste for any other—he would be a bankrupt before he had finished the tenth part of it. There still remain in both parts of the United Kingdom some great estates which have continued without interruption in the hands of the same family since the times of feudal anarchy. Compare the present condition of these estates with the possessions of the small proprietors in their neighbourhood, and you will require no other argument to convince you how unfavourable such extensive properties are to improvement."

Lord Kaimes also says: "A man who has amassed a great estate in land is miserable at the prospect of being obliged to quit his hold. To soothe his diseased fancy, he makes a deed, securing it for ever to certain heirs, who must without end bear his name and preserve his estate entire. Death, it is true, must at last separate him from his idol. It is some consolation, however, that his will governs and gives law to every subsequent proprietor. How repugnant to the frail state of man are such swollen conceptions! Upon these, however, are founded entails which have prevailed in many parts of the world, and unhappily at this day infest Scotland. Did entails produce no other mischief but the gratification of a distempered appetite, they might be endured, although far from deserving approbation; but, like other transgressions of nature and reason, they are productive of much mischief, not only to commerce, but to the very heirs for whose sake alone it is pretended that they were made." [1]

Yet many would-be reformers were not disposed to advocate

[1] *The Sketch of the History of Man.* Appendix to the 4th vol. Kaimes, 1774.

the alteration of our land laws until they were assured that the prosperity of the community demanded some such step. Even thus early there were examples available for economists who sought to prove that our custom of primogeniture was preferable to other forms of inheritance. The equal division of landed estates among the children of the deceased proprietor would, of course, have tended to largely subdivide the English soil into lesser freeholds. But it was greatly questioned whether a large class of small landed gentry was a desirable institution. Speaking of the Irish custom of gavelkind, Sir John Davis remarked, "It did breed another mischief; for thereby everybody being born to land, as well bastard as legitimate, they all held themselves to be gentlemen; and though their portions were ever so small, and themselves ever so poor (for gavelkind must needs in the end make a poor gentility), yet they scorned to descend to husbandry or merchandise, or to learn any mechanical art or science; and this is the true cause why there never were any corporate towns erected in the Irish counties." [1]

The Law of Entails in Scotland had been powerfully attacked by a pamphleteer in 1765,[2] but the defence it called forth from Sir John Dalrymple in the same year was a crushing rejoinder.[3] Had space admitted it, we should have placed before the reader a brief analysis of these productions but it will be well to leave the discussion of this wide and complex question for later examination, when the views of the economists both on agriculture and commerce had become moderated, and when by the development of history fresh lights had been brought to bear on the problem.

[1] *Discourse of the True Causes why Ireland was never Subdued.* Davis Tracts, p. 130, ed. 1787.

[2] *A Free Disquisition Concerning the Laws of Entails in Scotland, Occasioned by some Late Proposals for Amending that Law.* Edinburgh, 1765.

[3] *Considerations on the Polity of Entails in a Nation,* by John Dalrymple. Edinburgh, 1765.

## CHAPTER VIII.

### THE LAND TAXATION AND THE ECONOMISTS.

By having thus examined generally the phases of philosophical thought through which the earlier economists passed, we have placed ourselves in a position to appreciate the worth of and detect the errors in a national fiscal system which weighed so heavily on the land.

Locke had asserted, "It is in vain in a country whose great fund is land to hope to lay the public charge of the Government in anything else, there at last it will terminate. The merchant (do what you can) will not bear it, the labourer cannot, and therefore the landholder must." There was no justice in such an opportunist form of argument, and he was more logical when he contended for the same ends in the following words: "The landholder is more concerned in trade, and ought to take a greater care that it be well managed, than even the merchant himself; for he will certainly find that when a decay has carried away one part of our money out of the kingdom, and the other kept in the merchant's or tradesman's hands, that no laws he can make, nor any little arts of shifting property among ourselves, will bring it back to him again, but his rents will fall and his income every day lessen, till general industry and frugality joined to a well ordered trade shall restore to the kingdom the riches and wealth it had formerly." "Land and trade are twins," says another authority, "which always wax and wane together; so that it cannot be ill with trade but land will fall, nor ill with land but trade will feel it."[1]

Now the first suggestion of Locke's, instanced above, pro-

[1] *A New Discourse of Trade*, 1690. Preface, Sir Jos. Child.

bably represents the state of mind in which our early legislators approached the subject of taxation: on it our present fiscal system was originally based; and at a time when the French economists enunciated their theory that the soil was the only source of wealth, and therefore should be taxed in as direct a method as possible, there were slight hopes of any revulsion of feeling on the subject.

But when the idea began to prevail that trade and agriculture prospered or languished together, and when as a nation we began to utilise sources of wealth derived from foreign soils, the policy of deriving all imposts from the land came to be challenged. Any depression, temporary or prolonged, of agricultural prosperity, when once it became admitted that trade also would be affected, would accentuate the demand for fiscal reform. Admitting, then, that even the mercantilists were prepared to fix a limit beyond which the soil should not be burdened, we must also be careful to bear in mind that their theories were based on a wrong conception of the nature of wealth, and that their reasoning was never entirely free from error. In fact, at this early period, we find truth largely mixed with fiction in one and the same mind. Thus Sir William Petty, in his *Political Arithmetick*, chapter i., says: "The great and ultimate effect of trade is not wealth at large, but particularly abundance of silver, gold, and jewels, which are not perishable, nor so mutable as other commodities, but are wealth at all times and all places—whereas abundance of wine, corn, fowls, etc., are riches, but *hic et nunc*, so as the raising of such commodities and the following of such trade which does store the country with gold, silver, jewels, etc., is profitable before all others." But in another work[1] of his we find the Smithian theory already abroad; when for example he seeks (very impracticably, it is true) to formulate a scheme whereby "all things ought to be valued by two natural denominators—land and labour."

Then, again, Child,[2] believing in the union of agricultural and commercial interests, and seeing in the supposed depres-

[1] *A Treatise on Taxes and Contributions, etc.*, 1679.
[2] *A New Discourse of Trade*, 1690.

sion of the former the common decline of all wealth-earning industries, proposed a strong mercantilist remedy, and would have lowered the legal rate of interest. It was indeed the disastrous consequences that would have followed the carrying out of this proposal which did more than anything else to open the eyes of physiocrats to the fallacious reasoning prevalent with regard to the precious metals. Yet Child had sound views on the subject of free trade, and when calling public attention to the inefficacy of the laws to prevent the clandestine running of wool, asserted: "They that can give the best price for a commodity shall never fail to have it by one means or other, notwithstanding the opposition of laws or interposition of any power by sea or land; of such force, subtility and violence is the general course of trade."[1] Sir Matthew Decker, a celebrated merchant, held similarly sound views; declaring that "trade would not be forced";[2] but yet, when we come to analyse his motives, we shall find him prejudiced with strong mercantilist leanings.

There was one other force in operation to influence men's minds on the subject of taxation, which we must not ignore. Many recalled a time when the feudal dues sufficed to cover the expenses of government, and when recourse to taxation was regarded as the temporary policy of a nation in difficulties. Unfortunately the history of this "emergency" taxation had prejudiced men's minds against it, so that grumblers such as Decker might always expect to find ready listeners.

The pamphlets towards the end of the seventeenth century are full of discontent against our fiscal system, but those of the eighteenth century are still more so. The reasons for this are, that about the middle of the latter period men fancied they recognised all the symptoms of trade and agricultural depression. McCulloch has argued that no such depression existed; but whether there was or not an interval of temporary stagnation in our national prosperity at this particular epoch,

[1] *A New Discourse of Trade*, p. 174.

[2] *Causes of the Decline of the Foreign Trade*, p. 184, ed. 1756. Supposed by McCulloch to have been written by Sir Matthew Decker, but by Tanquier to have been written by Richardson.

signifies very little to the purpose in hand. Bad times, fancied or real, are the opportunities for the reformer and inventor. Men therefore thinking that they saw in certain events evidences of such a condition of affairs set to work to suggest remedies. From agricultural sources numerous petitions to Parliament were emanating, which complained of the decay of the woollen trade, the starving condition of the clothing operatives, and the low price of wool. Loud lamentations had also arisen amongst landlords over heavy losses caused by the non-payment of rents, the amount of farms thrown on their hands, and the large increase in the poor rates. Equally palpable signs were apparent of trade depression in the commercial world. The Mint was idle, silver money scarce, the Exchange with foreign countries adverse, shopkeepers were giving too long credit, and bankruptcy was becoming more and more common. Sir Matthew Decker[1] ascribed all this to four evils; viz., the large national debt, the oppressive nature of the taxation, the prevalence of monopolies, and the ill-judged laws.

Now the principal sources of State revenue were the land tax, the window tax, the customs, the stamp duties, the coal tax, the salt duty, and the excises on soap, candles, and leather. The three latter were recent additions to the list of commodities thus charged, copied from the fiscal tariffs of foreign countries, although they had been suggested by Dr. Chamberlaine as early as 1689, and strongly advocated by Davenant ten years later. The hearth money, the impost on the Stock of India and other public companies, and the duties on glass and earthenware had been by the middle of the eighteenth century abolished.

In the times of Davenant, King, and Petty, it had been computed that three-fifths of every landlord's income who lived up to his estate, was actually paid in taxes to the support of Government (including the consequences of such taxes in the advanced price of labour and of goods universally); while manufacturers and labourers were supposed

[1] Id. *Ibid.*, p. 56.

to be paying 14*s.* for taxes out of every 20*s.* gained by their industry or labour.

In 1756, a statistician made out an estimate, showing the liability of each class on this head, from which the following table is derived.[1]

| | | Total Taxes. | | | Rate in the £. | | |
|---|---|---|---|---|---|---|---|
| | | £ | *s.* | *d.* | | *s.* | *d.* |
| A nobleman or gentleman | possessing an estate of £20,000 a year in land paid | 6,378 | 18 | 0 | being | 6 | 5 |
| „ „ „ | 10,000 „ | 3,197 | 16 | 0 | „ | 6 | 5 |
| „ „ „ | 6,000 „ | 1,923 | 4 | 0 | „ | 6 | 5 |
| „ „ „ | 2,000 „ | 654 | 2 | 0 | „ | 6 | 6 |
| „ „ „ | 600 „ | 204 | 9 | 0 | „ | 6 | 10 |
| „ „ „ | 300 „ | 105 | 2 | 0 | „ | 7 | 0 |
| „ Freeholder „ | 100 „ | 30 | 16 | 0 | „ | 6 | 2 |
| „ „ „ „ | 50 „ | 15 | 12 | 0 | „ | 6 | 3 |
| „ Farmer „ „ | 150 „ | 13 | 19 | 10 | „ | 1 | 10 |
| „ London tradesman „ | 300 „ | 34 | 11 | 10 | „ | 2 | 4 |
| „ „ „ | 100 „ | 12 | 16 | 6 | „ | 2 | 6 |
| „ Country tradesman „ | 100 „ | 13 | 16 | 10 | „ | 2 | 9 |
| „ London citizen „ | 12/- per week | 3 | 2 | 6 | „ | 2 | 0 |
| „ Country „ „ | 9/- „ | 1 | 11 | 11 | „ | 1 | 4 |
| „ „ labourer „ | 5/- „ | 0 | 15 | 10 | „ | 1 | 3 |

From this it will be seen that the landed proprietor paid on his income about three times as much taxes as the merchant did on his.

As early as 1689, Dr. Chamberlaine had directed adverse attention to the same anomaly, reminding the Government that it had long been England's boast that neither new laws nor new taxes could be imposed upon the subject without his consent, given personally or by deputy in Parliament; and showing how leaseholders and copyholders, though not admitted to the privilege of the franchise, were often far more heavily taxed in proportion to their incomes than the smaller freeholders. He further maintained that if Parliament must have recourse to taxation it should levy it on other forms of property than the land, and begged it to take an example from Holland, where every monied individual was taxed by

[1] *Calculations of Taxes for a Family of each Rank, Degree, or Class for One Year.* Preface. Joseph Massie, 1756.

his neighbours according to what they judged him worth.[1] Now although this writer's intentions were sound and equitable, he had in the instance of Holland selected an unfortunate model for the State's future fiscal schemes; for that country eclipsed most others in the high rate of its land tax; and the chief reason for all this outcry was undoubtedly this particular impost, which on an income of £20,000 in rents represented, or was intended to represent, the enormous charge of £4,000. It was, in fact, the principal burden on the land, and when added to the tithe and poor rate (two items not taken into account in the above table), deprived the soil of a large proportion of the capital which otherwise would have been available for its improvement. Landlords were therefore naturally disgusted with all three of these charges on their property, but with the first named, as we shall now show, they had still further reasons for being so.[2]

So much obscurity surrounds its origin, so many errors have crept therefrom into England's history, and upon such errors so many proposals unjust to the landed interest have been based, that we must ask the reader's patience while we thoroughly examine its details.

It has been suggested that this land tax of four shillings in the pound was devised as a remedy for an act of "gross legislative iniquity," perpetrated "by Stuart statesmen when they invented the excise duties on the people as substitutes for their own rents previously paid to the State."[3] Partly corroborative of this statement is our description, in the earlier portion of this work, of the discussion in Parliament, which took place in 1660, over the abolition of the feudal dues.[4] Two sources of commutation revenue—viz., a tax on

[1] *England's Wants and Several Proposals*, etc., etc. Dr. Chamberlaine, 1689.

[2] Arthur Young called the tax "a monster of finance"—a hideous experiment tried wherever despotism has spread her banner, and never without carrying desolation and poverty in its train.—*Annals of Agriculture*, vol. xx. p. 495.

[3] *Financial Reformer's Almanack for* 1880, p. 145.

[4] *English Landed Interest*, Part I. p. 351.

the lands in chivalry, and an excise on certain malt liquors—had been proposed, the latter finally receiving the assent of the community. Recent research has, however, attempted (unsuccessfully, we maintain) to prove that the enactment of the excise duties, having preceded the abolition of Feudalism, could not have been designed as a substitute for the Crown dues on the lands in chivalry. The excise was, in fact, an invention of the Long Parliament, being imposed for the first time in 1643, extended subsequently so as to include a heterogeneous collection of commodities (amongst which both strong waters and malt liquors figure), and rearranged in 1656. The abolition of the feudal dues was sanctioned by Parliament in 1645–6, again sanctioned in 1656, and finally confirmed by 12 Car. II. c. 24, in 1660. Moreover, the customs and excise imposts of 1660 were substantially the same as those of 1656,[1] and therefore the inference would naturally be, as we stated above, that the excise was imposed prior to the abolition of military tenures. Favourable to the results of later research as this evidence of dates appears, it must fail before the stubborn fact that a debate took place in the House of Commons on November 21st, 1660,[2] the very year of the Restoration, in which the proposal of the excise duties as a commutation revenue for the feudal dues was carried against that of the fixed land tax by the small majority of two voices.

Was then the land tax the later substitute of the excise duties, as suggested in the *Financial Reformer's Almanack* for 1880? If the comparison of the date of its origin with that of the excise duties were conclusive evidence, we might at once reply in the negative. For its earlier form was the subsidy raised on the reputed value of the estates of the people, as far back as Tudor times, and worth in 1566, £120,000, and in 1598, £75,000. But we have shown in the instance above that a comparison of the dates of origin is not conclusive

[1] *English Land and English Landlords*, App. I., by A. C. H. Owen. G. Brodrick.

[2] Comp. Hallam, *Const. Hist.*, chap. xi. p. 313, who quotes from *Parl. Hist.*, p. 151.

evidence, and we must therefore look elsewhere for information. The importance of ascertaining the exact origin of the modern form of this impost will be recognised when we remind the reader that, outside the circles connected with the soil, there is a strong feeling that the landed proprietor holds his title on the understanding that he should support and maintain our national defences, and that this charge under the land tax most inadequately represents the extent of his present liability. Let us, however, make it quite clear that land taxation was no part of the original Gothic constitution; but that the king's court was supported by the rents of his demesne lands and the fruits and incidents of the feudal tenures. Moreover, his subjects were very impatient of any approaches to a land tax, until they were positively assured by statute or deed,[1] that the imposition was not only of a temporary, but of a voluntary nature. When, however, some form of property tax was recognised to be a permanent necessity, Parliament, not the king, was alone allowed to impose it.[2] It is no doubt true that the first few aids or subsidies were derived from military tenures only, but then came others, levied under such names as hidage or carucage, which were imposed on other forms of property.[3] From the date of the first subsidy, however, we have a recognition by the community that the military tenures were incapable of meeting the increased and increasing expenses of the War Office; and then from the date of the later forms of subsidy, that the entire national rental could not, even if it ought to, sustain them, unless assisted by personalty. But though it was not originally intended that the land should bear the full brunt of the various subsidies, in course of time this came to pass, as we shall now shortly see.

In the time of Charles I., that portion of the aid which was derived from landed property, should have yielded a million and a half, but it was arranged in such a manner that it did

[1] Compare 25 Ed. I. c. 5 and some of the old Scotch deeds. Anderson's Appendix, No. 21.

[2] 34 Ed. I. c. 1.

[3] Dalrymple's *Essays*, p. 54.

not take into account either the rise in the value of land, or the fall in the value of the precious metals. It therefore sank, until it came to be under twopence in the pound. In this way the entire subsidy derivable from realty and personalty finally dropped as low as fifty thousand pounds.[1]

The circumstances surrounding the reimposition of this particular form of impost henceforward strongly favour the presumption that it was acceptable to the great body of the English public. "It is not an unfair inference," says Mr. A. Humphreys Owen, "that measures which approved themselves to Roundheads and Cavaliers in one generation, and to the Whig Parliament of the next, were in the circumstances equitable and politic."[2]

During the Commonwealth, a fresh system was designed, which met with considerable success. A fixed sum was named as the necessary subsidy, which was distributed among the counties in proportion to their supposed wealth, and raised by a rate levied in each district. The revenue thus derived varied between £35,000 and £120,000 a month. But the Commonwealth had naturally laid the heaviest charge on those districts on which they could depend. The inhabitants of the south and east of England had been loyal to Cromwell, and for this loyalty they were made to smart by their ungrateful rulers. So unfairly was this taxation imposed, that at the Restoration the king's financiers for a time reverted to the older and more equitable practice. Finding it unremunerative however, they resorted once more to Cromwell's inequitable system, and probably solaced their outraged sense of justice with the thought that the king's late enemies were the sufferers.

Throughout this period of their history, it is incorrect to describe the subsidies as *land* taxation. Charles II. was too grateful to his country squires for their past services, to demand any further pecuniary sacrifices from them, though we think it quite possible that the fervid loyalty which had voted him

[1] Macaulay's *History of England*, ch. xix.

[2] *English Land and English Landlords*, Appendix I., p. 467. G. Brodrick.

the excise dues in exchange for his lost feudal perquisites by a narrow majority in 1660, may have, later on, so far cooled as to have brought about the reimposition of the subsidy as the more proper substitute of these abolished revenues. At any rate we find that the landed gentry were obliged to contribute their quota to what was virtually a property tax, though they received some compensation, for what they thus disbursed from their rents, by means of the bounty on exported corn.[1]

The next phase in the history of this tax coincides with the French War and Irish Rebellion, events immediately following on the Revolution; and it was during this period (1689–1691) that the land suffered most from the impost. It was then that experts began to animadvert on its unequal incidence. From the statistics of the poll tax, hearth and poor rates, etc., Davenant sought to demonstrate, that the hitherto wealthier eastern and southern counties had been so crippled by the tax, as to have yielded the lead in prosperity to the less heavily mulcted northern and western districts. Decker took up the same plaint in his *Essay on the Causes of the Decline of the Foreign Trade*, and asserted that though the rate of the land tax was then 4*s.* in the pound, many did not pay above 2*s.*, "and that without any reason, but because the estates happen to be in different counties, which were variously affected to a new king when the present assessment was made, whereby some members of the community being ever since put undeservedly in a worse condition than others, are a dead weight against even our most necessary enlarged expenses; wrong policy, that increases dissension always in times of difficulty. The tediousness of the coming of this tax, which is generally two years, is a great disadvantage; in times of safety, creates annual expensive loans, but in times of the greatest danger, leaves us quite in distress. 'Tis the highest impropriety to call that the aid of the present year which is to be paid in the two next ensuing. This tax has besides been attended with a

[1] See Dowell's *History of Taxation*, xi. 16, and Cunningham's *Commerce*, Pt. II. p. 404.

very bad consequence to the nation, in having made a distinction where there is no difference, viz. of landed and trading interests. Country gentlemen, finding the land tax a heavy burden on them, thought to ease themselves by loading the trader, whom they looked upon with a jealous eye, thinking his situation easier, whereby that trade which had raised the value of their estates and which only could support the increased value, being deprived of their protection, and cramped with duties without mercy on all occasions, has indeed been brought sufficiently low, and is bringing down with it the rents of their lands, and they may see the fatal error when it is perhaps too late, trade being a coy dame difficult to be brought back when slighted."[1]

Decker, be it borne in mind, was one of those champions of commerce who watched with a jealous eye any attempt to tax his particular industry. Just such another was the writer of *English Liberty in Some Cases Worse than French Slavery*. He declared that personal property had been already charged for land tax £150,000 per annum, and he imagined that he saw in the procedure of the Commissioners a tendency to fraudulently increase this sum. To such he held up as a warning the example of the Dutch, whose landowners, by excess of power, had grown insolent and laid the burden of taxation on the lesser citizens and traders, whereby they had been deprived of their authority, and had been compelled to pay ruinous taxes amounting to 9*s*. and 10*s*. per acre.[2]

The various allusions of these writers are more or less clear to the reader from what has gone before; but they appear both to recognise and to deprecate a new departure in fiscal legislation originating from the assessment of 1692, which has yet to be explained. The advisers of William and Mary had not been disposed to alienate still further the half-hearted loyalty of the country gentry by increasing the taxation of the soil; so in 1692 they ordered a new assessment of all kinds of property, in which personalty, whether productive or the

[1] *Cause of the Decline of Foreign Trade*, etc. M. Decker.

[2] *English Liberty in Some Cases Worse than French Slavery*, etc., etc. 1748.

reverse, was included. Pictures and jewelry were valued, and the interest on their supposed worth charged at the rate of 4*s.* in the pound. The tax could not be termed an income tax, because the charge was not levied on the yearly receipts from mercantile capital, but from the estimated interest of £6 per cent., which it was supposed that each individual's capital ought to return. But, according to our mercantilist pamphleteers, this was an infringement of the sacred rights of personalty, and calculated to encourage unscrupulous Commissioners to proceed further in the same direction. They might, however, have spared themselves this anxiety; for even if we choose to impute to the Commissioners the most sinister designs on personalty, at any rate the Interest thus threatened managed to evade its liabilities in the same successful manner as it did those of personal tithes in Saxon days, or of pauper relief in Tudor times. Thus we shall find that when there ensued a struggle for political supremacy between the landed and commercial interests of this country, terminating in the ultimate triumph of the latter, personalty became entirely freed from all liabilities under the tax of 1692.[1]

Even at an early period of the new law, personalty, according to the evidence of so impartial a chronicler as Adam Smith, was rated at hardly one-fiftieth part of its actual value, while land was rated at fully one-half;[2] and when the original payers of this property tax died, none save landlords seem to have been forthcoming to undertake their fiscal liabilities. In due course, therefore, the property tax resolved itself into a real property or land tax, and took up a position alongside the tithe charge and poor rate. Moreover, when about a hundred years later a fresh property tax was enacted,[3] the Landed Interest was charged a second time, just as it had been for pauper relief by the Poor Laws of Queen Elizabeth.

There was yet one other cause for popular dislike to this tax. The qualification for an individual to act as a Commis-

[1] 3 and 4 Will. IV. c. 12 repeals so much of 3 Will. IV. c. 3 (which prolonged 38 Geo. III. c. 60 and 38 Geo. III. c. 5) as imposed the Land Tax on personalty.

[2] *Wealth of Nations*, Bk. V. ch. ii. p. 298, Ed. 1809.

[3] The Income Tax Act of 1799.

sioner was an estate of £300 per annum (the same, be it remembered, as was then necessary to enable a member to sit in the House of Commons). One of the writers[1] already quoted points out that this did not constitute a sufficient guarantee for such an official's integrity. As a body these Land-tax Commissioners were considered to be no less venial and corrupt than was, in the estimation of this would-be reformer, the Lower House of the legislature. He asserted that they preferred, as assessors and collectors, men who were capable of doing "dirty work, and who at their bidding would rate their employers low, and lay the burden of the tax upon their feebler neighbours." He professed to know an instance of a parish where a worthy clergyman of moderate income paid 4*s.* in the pound for his glebe, while the squire, being a Commissioner, managed so excellently that he paid but 2*s.* He estimated the total rental of the kingdom at £20,000,000, which if properly assessed should have returned a revenue from this particular impost of £4,000,000, but which under the assessment of 4 and 5 William & Mary only produced £1,827,713.[2]

No wonder that a collision occurred between the two Houses of Parliament in 1692, when the new assessment was decided upon. All the pent-up hatred for the tax bubbled over. The Lords, who had partly evaded their share of the burden, refused to allow their estates to be valued by Commoners, at which the Lower House broke into angry rebellion. Mulgrave, in one of the most eloquent speeches ever delivered in Westminster, besought his fellow-peers not to yield their ancient greatness to the mercy of pretentious plebeians. An idea prevailed that the Lords desired to assess their own taxation, but what they only claimed was the right to value their own property. Even this they ceded for the sake of the public interest; and, after all, the new scheme put an end to some of the worst defects of the old arrangement.

[1] *English Liberty in Some Sense Worse than French Slavery*, etc., etc. 1748.

[2] Compare Macaulay, who says that it amounted to half a million at 1*s.* in the pound, vol. vi. ch. xix. p. 326.

The remaining history of the tax is soon told: the impost continued to be levied for over a century by means of a bill introduced annually for the purpose. The country gentry always grumbled, but always passed it. In times of war it was as high as 4*s.*, and in times of peace it was never lower than 3*s.*, except in the reign of George III., when Walpole was enabled, by judicious finance, to reduce it for a time to one shilling. Then came the dispute with the American Colonies, during which the rate rose again and remained steady at 4*s.*,—so steady, in fact, that in 1798 Parliament dispensed with the task of re-enacting annually the legislation dealing with the rate, and made it permanent at 4*s.*, though subject to redemption at the option of the landowner. At first the latter eagerly availed himself of the powers to redeem. Purchases of the tax amounted in the first year to £13,059,586, and in the second to £3,034,216. Thenceforward such transactions became rare and insignificant, so that some £1,100,000 still represents the annual receipts from the impost.

By having this tax, so to speak, stereotyped at an immutable percentage in the pound, the Landed Interest gained what must not be called an undue advantage, but rather an unexpected limitation of a disadvantage. Since 1798 the incomes of landlords have been probably doubled, and therefore what was originally intended as an outgoing of 4*s.* in the pound dwindled down to 2*s.* This, to the superficial view of other interests, seems the more unfair, because of the depreciation of funded property in comparison to that of land during the last hundred years. In the words of the late Professor Rogers: "If one capitalist in the reign of Queen Anne invested his savings in the public funds to the amount of £100,000, and another laid out £100,000 in the purchase of land, each would probably have received some £6,000 a year from the investment. But if the same property is held at the present day, each by the descendant of those ancestors, the former would be receiving about £2,500 a year, and the latter about £6,000." [1]

[1] See also a similar argument used by the Manchester school in 1842: *The Constitutional Right to a Revision of the Land Tax*—Anti-Corn Law League.

But the period at which the land tax was made a fixed charge was, as we shall see later on, the date of a fresh income tax; and just as the term "*Subsidy*" had been converted successively into "*Property Tax*," and then into "*Land Tax*," to meet the altered exigencies of its imposition, so now it became, to all intents and purposes, a "*Rent Charge*," so as to avoid any accentuation of the fact that its original conditions were about to be reimposed upon the community in the form of an *Income Tax*. In fact, the only justification for thus burdening landed property a second time over was the supposition that the first institution of the charge in 1692 was intended to replace the Crown dues both from the abolished military tenures and Tudor aids. But if the landlords yield this disputed point, they are surely justified in strongly protesting against all attempts to re-establish this tax on any amended assessment of rents at the present day, as has been suggested more than once by political economists,[1] and of late in the House of Commons.

A short examination will suffice to complete our narrative of the various taxes to which exception had been taken by the pamphleteers of the eighteenth century.

The window tax was one sufficiently distasteful to the landed proprietor, but detested by the merchant, who cried out against the practice of treating factories, inns, and lodging-houses on equal terms with the nobleman's seat. The landlord contented himself with evading the charge by reconstructing his system of architecture. In many of the new country mansions, built in the Italian style, windows had been reduced to a minimum; but light was too necessary to buildings set apart for industrial purposes for an evasion of the tax by this means. The popular discontent, however, had very little

[1] Adam Smith, for example, recommended that it should be made variable with rent and by necessity with improvements, in such a way that all *covenants* prescribing any particular modes or circumstances of culture should be considered as rent, and taxed heavier than common rent, because they are impertinences—a proposition which, as ably pointed out by Arthur Young, was tantamount to discouraging the system of leases. Comp. *Wealth of Nations*, Bk. V. p. 268, Edition of 1809, and *Annals of Agriculture*, vol. xx. p. 495.

weight with statesmen; for this duty, first imposed in 1696, was reintroduced by Pitt in his Commutation Act as an equivalent for the abolished portion of the disastrous tea tax.

The system of imposing duties in seaports and frontier towns was deprecated as inimical to the best interests of trade. All the advanced writers of the age traced the prosperity of the Dutch to the low customs imposed by the Government of Holland. Imposts such as these, they said, prevented this country from becoming an universal storehouse. They caused our navigation to stagnate, and lessened mercantile capital; encouraged the consumption of foreign luxuries, put a premium on smuggling, and were ruining the woollen manufacturers. The fallacy that was at the root of this difficulty was the widespread supposition that a nation's prosperity was measured by the excess of its exports over its imports. Prohibitions and heavy duties therefore impeded importation, while bounties encouraged exportation. But deeper still lurked the old mischievous belief that bullion was wealth, and must not therefore be sent abroad.

Even the stamp duty[1] did not escape adverse criticism. Though an exception might be made with regard to the stamping of bonds, deeds, etc., in order to prevent forgery, and though gambling might be kept in check by the duty on cards and dice, it was a great hardship that honest people, if defrauded by knaves, should be deterred from seeking redress by the heavy nature of this impost.

The practice of taxing native coal[2] was considered particularly unjust. It was a commodity in general use, and the hardships of the poor in such a winter as that of 1739–40 were immensely increased by so heavy an addition to the price of this necessary combustible. Coals brought to London paid a duty of 10*s.* per chaldron, those water-borne to other parts of the kingdom 5*s.*, while such as were exported abroad were only charged 3*s.* Such a system unduly favoured the foreigner, and enabled him to undersell the Londoner in ironware.

[1] First imposed 1694.

[2] The new duty on coals, culm, and cinders was imposed in 1695, and added to in 1708.

The salt duty[1] was another impost which told hardly on the poor man. At this time salted viands formed an especial feature of the winter's food. The farmers and labourers counted principally on their store of bacon for a means of subsistence during the colder months, and the salt duty increased the costs of curing. By enhancing the expenses of the herring fishery it also enabled the Dutch to undersell our dealers in the foreign markets in spite of the bounty allowed on exported fish, and prevented the poor man storing his winter larder with this excellent substitute for meat.

We have hardly space to do more than allude to a later impost—the brick and tile tax, which called forth from Sir Frederick Eden animadversions on account of its bad effects on the wage-earning classes,[2] and from Arthur Young a vigorous protest, because by taxing tiles the Government had placed a premium upon thatch, and thus diverted a proportion of the straw off some 60,000,000 acres of cultivable land, which otherwise would have been converted into manure.[3]

Lastly, all excises, whether on soap, leather, candles, or other commodities, began to be considered as likely to oppress trade, and raise the prices of wages and necessaries.

When we read of objections to the national fiscal system, such as those enumerated above, the way seemed already clear for the doctrines of the Manchester school, and the shadow of the fast approaching Free Trade agitation was already over the land. In fact, Sir Matthew Decker was only a little in advance of the times when he raised the standard of revolt against all kinds of restrictions, monopolies, and prohibitions. His object, as McCulloch has pointed out, was to give full freedom to industry. In order to effect this he proposed to abolish the privileges of corporations, and to repeal all existing taxation, replacing the latter by a system of license duties. He was in thorough accord with the ideas Lord Chesterfield ex-

[1] The excise was levied on imported salt in 1693, that on native salt in 1698, which was added to in 1709 by a duty of 9*s.* per ton on rock salt exported to Ireland.

[2] *History of the Poor*, vol. i. ch. i. p. 77. Sir F. Eden.

[3] *Annals of Agriculture*, vol. ii. p. 314. 1784.

pressed long afterwards at Dublin in October, 1745: "Trade has always been the best support of all nations, and the principal care of the wisest." But he was not large-minded enough to admit the theory that the incidence of Imperial taxation should fall equally on personal as well as on real estate.

So far we have examined objections to our fiscal system emanating from sources which had not been influenced by the teaching of Adam Smith. It will now be our purpose to ascertain the principles laid down by this later economist, and to point out how far they influenced the more modern forms of State taxation. Adam Smith was so far in accord with that sentiment of Locke's with which we commenced this chapter that he recognised the land as a more stable and permanent fund of taxation than perishable stock and credit. But he pointed out that, apart from any principles of taxation, the public revenue derived directly from the land fell short of two millions, whereas that required to maintain the expenses of Government on a peace footing exceeded ten. The private revenues, however, derived from the land by the great body of the people were not so much rent as produce; which was either consumed or exchanged for something else, and could be differentiated under these three heads—rent, profit, and wages. Consequently from all of these, not necessarily from one only, must every public tax be derived.[1]

Coming now to principles, we must cursorily refer to the well-known canons of this same economist. It will no doubt be within our reader's knowledge that Smith laid down that taxation should be equable, certain, and so levied as to reduce the expenditure of the individual to a minimum, at the same time that it raised the revenues of the Treasury to a maximum. Thus, for example, the tax upon the rent of land should be payable at the same time as rents are due. This was possible enough, but in every description of impost that first condition of Smith's regarding equality has caused difficulties. To apply an exceedingly searching test, used if not invented by Decker, and adopted since by most economists:—

[1] *Wealth of Nations*, A. Smith, Vol. I. bk. v. ch. ii. p. 253, Ed. 1809.

How could the Benedict landlord, blessed with a quiverful, find the same facilities of paying two shillings in the pound out of his £1,000 a year in rents as a bachelor landlord in receipt of the same income?

Again, Adam Smith laid down this further admirable law; viz., that, in order to promote equality of taxation, "the subjects of every State ought to contribute to the support of the Government as nearly as possible in proportion to their respective abilities, that is in proportion to the revenue which they respectively enjoy under the protection of the State."[1] There are here, as Professor Fawcett pointed out, two statements of the principle which, unfortunately, do not mean the same thing. If ability to pay is to be measured by the amount of a man's income, then it would be fair to tax the rents of a landlord (whence all the heavy outlay of estate maintenance has to be defrayed) on the same basis as the dividends of a bondholder. We shall show later on in this chapter that it would be very difficult, if not impossible, to adjust even the income tax so as to render it subject to Smith's first canon. But, were this possible, it would lead to no practical results, unless the principle of equable taxation were capable of a general application; and to attempt to tax commodities according to each individual's ability to pay, is, on the face of it, an absurd undertaking.

We have so far got over the difficulties of Smith's principle since his day by altering its wording, so that it now reads, "The total liabilities of each individual for taxation should be in proportion to his ability to contribute to the State revenues." Thus altered, the basis of equable taxation is in theory not quite, but approximately, insured.[2] The discovery, however, of a fiscal scheme which realises this principle is yet to immortalise some future Chancellor of the Exchequer.

How far did such teaching affect the policy of heavily taxing the land? In that a system of direct taxation is more adapted to the fundamental principles enumerated by Smith than one of indirect taxation, the national financiers were still

[1] *Wealth of Nations*, A. Smith, Vol. I. bk. v. ch. ii. p. 260.
[2] *Manual of Political Economy*, Bk. IV. ch. i. Fawcett.

encouraged to throw the chief burden on the landlords. Indirect imposts, if we except the *ad valorem* duties, are more or less certain; but they are surely not equable, though they may be made so by means of other imposts. They are collected more often than not at an inconvenient time for the producer and importer, and they take out of the people's pockets, in proportion to what they contribute to the public treasury, more than the direct system. Their greatest drawback, however, is their mischievous effects on the consumer, which, however, might be minimised by levying imposts on the *manufactured* in contradistinction to the *raw* material.

As to the principle of taxing exports and imports, it has long been held that any form of protective tariff ultimately results in harm to both capital and labour. Imbued with the views of Adam Smith on the relationship of rents to prices, economists held that a free trade in corn did not even injure the farmers beyond the expiration of existing leases, whereas it would benefit the whole community, with the exception of the landlord. Even when Ricardo's more correct reasoning had altered this relationship of rents to prices, the same views prevailed, though at the present day a reaction in favour of protecting the interests of the farmer has set in.

Though we have advocated the principles of Free Trade throughout this work, we, and even its most ardent champions, must be prepared to admit the possibility of exceptions to the rule. A fiscal system founded at a period of our history, when the national wealth was more or less entirely derived from native soil, ought not to continue to bear mainly on agricultural profits, now that the husbandman is exposed to the competition of the foreign producer. The one alternative would be to remove some of the existing burdens on the land; the other and more feasible alternative would be to devise some compensatory relief to the landlord and farmer in the shape of Protection.

But we must now retrace our steps, and examine the general condition of the national finances at the end of the seventeenth century. Never before had the revenues been so high nor taxation so excessive. Yet more was required. Seeing what was

the state of the public mind on the subject of the imposts, as evidenced by the earlier pamphlets and writings just discussed, we may well believe that the Treasury did not dare to resort to any large increase of existent taxation. To extort more revenues from the landed gentry would have been, even if possible, imprudent. Their estates had been exhausted of funds in the furtherance of the king's cause. So miserable had been the case of the distressed cavaliers that in 1661 Parliament had voted them an aid of £60,000.[1] It is not surprising, therefore, to learn that the land tax had begun to be regarded as oppressive, an impression which had not been entirely obliterated by the introduction of the bounty system. There may have been plenty of idle capital belonging to the commercial interests, but from Pepys' description[2] a general want of money seems to have prevailed in rural circles. Good land, with excellent titles, fetched only sixteen years' purchase in the property market. Farms were lying idle up and down the country, and one landlord, the Duke of Buckingham, had to take in hand an area of soil representing a rental of £6,000. If such is a true description of the squire's finances in 1667, he could not have been so very flush of ready money a quarter of a century later, even though the agricultural crisis had by then passed away. At any rate, in 1692, in order to procure the necessary supplies, our national financiers adopted the following system, which had been in use on the Continent for several decades.

All the difficulties of the times discussed in this and preceding chapters had been unconsciously but surely leading up to a recourse by the State to some such method as now came into use. We have shown in a former chapter how, in their anxiety for safe investments, the capitalists of the age had been advocating a public registration of titles. We shall now see that, failing this, men turned elsewhere and anywhere for interest on their idle capital. Company after company sprang into existence. Besides the solid and respectable East India Company, Macaulay enumerates an absurd list of bogus undertakings,

[1] *Lords' Debates*, vol. i. p. 45.
[2] *Pepys' Diary*, Jan. 31 and April 9, 1667.

all started to meet the wants of those who at the end of their financial year found themselves the lucky possessors of superfluous funds. The close of the seventeenth century must have been indeed a golden age for the stock-broker and jobber, but, as we learn later on, by the bursting of the South Sea Bubble, it was the beginning of a disastrous one for commercial credit. By a happy inspiration the finance minister of the age associated his own wants with those of the money-making class. Insufficient taxation was supplemented by the institution of the National Debt, and a security guaranteed by Government afforded a boundless source of absolutely unassailable investments for the unemployed capital of the merchant. We laugh now at the alarm created by this measure. It was no laughing matter to those who thought that each additional hundred thousand pounds would bring about national bankruptcy. Up to the year 1700, when there was a possibility of a successful revolution and consequent repudiation of the funded debt, the public creditor had to be offered the large bait of 10 per cent. for his risk. The landed gentry, who hated the scheme, would have as soon thrown their spare capital into the sea as invest it thus. Equally reluctant were the bankers and merchants whose firms had been robbed of some millions by Charles II.; whose claim of 6 per cent. interest had been repudiated by later kings, and whose memories recalled this circumstance all the more vividly because a portion of the old debt was to form the nucleus of the new fund. It would have indeed astounded Hume, Grenville, and the other croakers, it would even have astounded Adam Smith, could they have been shown that not much more than a century later the debt would have mounted to close on a thousand millions, and the interest per cent. have dropped to nearly one-quarter of what it had been at the outset.

But the National Debt, though for a time it relieved the pressure on taxation, did not eventually prevent the necessity of further calls on the country's purse. The funds became depressed by the accumulated weight of new loans,[1] and the

[1] Notwithstanding the establishment of the Sinking Fund in 1716, the

expediency of raising a considerable part of the supply within the year grew more and more urgent.[1] War had long raged with France. At first it had been undertaken in a half-hearted spirit; afterwards, when the dangerous doctrines of Jacobinism became widely recognised, and when the French had avowed their inveterate design to destroy the British Empire, it was waged with all the enthusiasm of a spirited people. Directly the Lisle Conferences had been broken off, the national workshops resounded with the notes of warlike preparation. In the words of Lord Auckland, "Great Britain proclaimed her design with ostentation, and made the most extravagant preparations to execute it. Every doubt now ceased, and it became most manifest that a steady and vigorous prosecution of the war was indispensable to our existence as an independent people. In a crisis so awfully interesting, the whole spirit and good sense of the nation burst forth. The militia, the yeomanry, the army, the navy, were all animated by the same zeal, and vied with each other in activity, promptitude, discipline, and bravery."[2]

The statesmen of the period used this outburst of enthusiasm as a means of fresh imposts. At the close of 1797 the measure of the additional assessed taxes was introduced into Parliament. A voluntary contribution accompanied it, and evoked such universal generosity that no less than two millions was subscribed under this head alone. Even these means proved insufficient, and a war tax, otherwise known as the Convoy Tax, was levied on our exports and imports.

The voluntary contribution recalled to Pitt's mind the old idea of an income tax. Twenty years earlier Lord Auckland, then Sir William Eden, had broached some such scheme in a series of letters to the Earl of Carlisle. When the measure of the additional assessments was found to press unequally, and to affect injuriously those who had come forward with public

Debt at the death of George I. amounted to £52,092,235, bearing an interest of £2,217,551. In 1784 it was £243,063,145, and in 1815 £861,039,049.

[1] In 1761 the entire revenue from taxation was £8,800,000, and in 1799 it was £21,049,000.

[2] Lord Auckland's speech in the House of Peers, Jan. 8th, 1799.

spirit; whilst the niggardly, however rich, who hung back, had altogether evaded their fair contribution; it was determined to render obligatory a source of revenue which had hitherto been entirely dependent upon the enthusiasm of the individual.

It was therefore decided to impose for two years a tax of 10 per cent. on all incomes above £200; a payment in a progressive scale on all from £60 to £200, and to entirely exempt all under £60.

The schedule on the following page shows the amount of taxable income at the period when Pitt framed his Bill.

The chief advantage of obtaining £20,000,000 in this manner was that of economy. The alternative would have been for Parliament to have borrowed the same sum, but it could not have been obtained at a better price than £50 for the 3 per cents, or at an interest of 6 per cent., which, with the provision of 2 per cent. towards the redemption of the capital thus created, would have amounted to a charge of 8 per cent. and involved (besides the expenses of collection) the imposition of new and permanent taxes amounting to £1,600,000 per annum.[1] It was a time of increased prosperity, so that happily no embarrassment had arisen from the diminution of incomes by "The Voluntary Contribution." A people enthusiastic even while its forces were only capable of acting on the defensive, was not less disposed to be so when it had just destroyed the navy of its hereditary enemy. Lord Auckland, in describing the straits to which the naval war had brought France, says:[2] "Her inhabitants may collect in crowds upon the shore, and call hard names and use opprobrious language; but they are beaten, and have ceased to be a maritime people for a long period of time." When, therefore, the prospect of the final overthrow of Bonaparte seemed to be within sight, we cannot wonder at the readiness with which the new scheme of taxation was accepted by the nation. If

[1] Pitt's Sinking Fund Schemes, introduced in 1786, and again in 1792, seem to have borne no fruit, being counteracted probably by the outbreak of war. We cannot otherwise account for the low state of the national credit.

[2] Speech in the House of Peers, Jan. 8th, 1799.

## Computation of Income.

| | Annual Income. | Deduction for Part under £60 which will pay nothing, and Part under £200 which will pay on Average $\frac{1}{10}$. | Taxable Income. |
|---|---|---|---|
| | £ | £ | £ |
| Landlords' Rents— 40,000,000 cultivated Acres, estimated at 12*s.* 6*d.* | 25,000,000 | $\frac{1}{5}$ 5,000,000 | 20,000,000 |
| Tenants' Rents, at $\frac{2}{3}$ | 19,000,000 | $\frac{2}{3}$ 13,000,000 | 6,000,000 |
| Tithes | 5,000,000 | $\frac{1}{5}$ 1,000,000 | 4,000,000 |
| Mines, Navigation, and Timber | 3,000,000 | | 3,000,000 |
| Houses | 6,000,000 | $\frac{1}{6}$ 1,000,000 | 5,000,000 |
| Rents on Inhabited Houses, 4,500,000.[1] | | | |
| Professions | 2,000,000 | | 2,000,000 |
| Scotland, $\frac{1}{9}$ of England | 5,000,000 | | 5,000,000 |
| Income from Possessions beyond Sea | 5,000,000 | | 5,000,000 |
| Interest on Funds, after deducting Sums issued to Commissioners as Sinking Fund, and Interest of Capital redeemed | 15,000,000 | $\frac{1}{5}$ 3,000,000 | 12,000,000 |
| Profit on Foreign Trade, suppose 15 per cent. on £80,000,000 Capital insured | 12,000,000 | | 12,000,000 |
| Ditto, Home Trade, at 15 per cent. | 18,000,000 | | 28,000,000 |
| Other Trade | 10,000,000 | | |
| | £125,000,000 | £23,000,000 | £102,000,000 |

[1] Apparently this item could not be ascertained. *Vide* substance of Lord Auckland's speech, Appendix 4. New Edition, 1799.

any class might have been expected to resent the new impost, it was surely the proprietors of realty, whose incomes had, in 1692, been already charged with a property tax; but they only seemed to see in it a fresh departure from a fiscal policy which had hitherto looked chiefly to the land for funds. On the other hand, the commercial interest gladly submitted to a proposal likely to bring to a close a struggle which promised to become grievously pernicious to trade.

The same unfairness of incidence, and the same dangers to the Landed Interest, in a more or less degree accompanied the discussion and imposition of this fresh impost as had accompanied all previous efforts to institute a property tax. The principle of gradual rise had been admitted by the proposed imposition of a progressive scale of payments on incomes between £60 and £200. Why, asked some of the English Jacobins outside Parliament, was not this principle pursued through all the higher classes of income? It is hardly necessary to point out that such a course would have tended to equalise, not so much men's fiscal dues as their incomes, and that communistic doctrines such as this were not within the range of practical politics amidst an assembly entirely composed of men of fortune.

A far more plausible objection, and one equally dangerous to the rights of landed property, was that which would have made a difference in the various kinds of income. It was the more formidable because it was fought out on the equitable grounds of Smith's famous canons. An annuity for life is worth say ten years' purchase, an estate in fee simple triple that amount; why should not the latter pay three times as much as the former? Had the tax been of a permanent description, an easy defence could have been set up by the representatives of the permanent income. For if two individuals, possessed of the same capital, elected to invest it, the one in the funds, the other in an annuity, so as to realise, the former at a small, the latter at a large percentage, the incomes respectively of £500 and £250,—and if the rate of a *permanent* income tax had been differentiated, so that the annuitant paid less per cent. per annum on his temporary income than the

owner of the funded or landed property on his permanent income,—obviously the conditions of equality were far from being established. But the tax, certainly at this time, was not considered permanent, for it was suggested for only two years, and actually repealed when the Peace of Amiens put an end to its necessity. Even under these conditions statesmen refused to face the complications in which the differentiation of the rate of interest between permanent and temporary incomes would have involved them. It is imperative on every finance minister to keep the tax as far as possible from being levied on capital, whether circulating or fixed, as, in either case, it would, to a certain extent, damage the interests of labour. The possibility of confusing the two terms, "capital" and "income," weighed heavily on the minds of Pitt and his colleagues. "Income as income," said Lord Auckland,[1] "cannot be distinguished and brought into a scale of taxation, whatever may be the nature and value of the fund from which it is derived. The moment that income is rated by its value in the market, it ceases to have the properties of income and becomes capital." A tax on capital was unattainable, for no man could value the different estates of the owners and occupiers of land, with all the modifications, conditions, settlements, remainders, and reversions to which real property is liable. Worse difficulties still would have been encountered in attempts to value the fortunes of artists, merchants, and professional men.

Rightly, therefore, Lord Auckland's fear of causing a confusion in the public mind between capital and income has never been banished from the financier's thoughts. Not even the justice of rating incomes derivable from man's individual industry lower than those derivable from "the unearned increment" can induce our Treasury to venture on a step which would menace the interests of capital. Try how they would, statesmen could never shape this impost to the conditions demanded by Smith's canons. How, for instance, could it have been adjusted according to the means of the individual? Does

[1] *Vide* his speech in the House of Peers, Jan. 8th, 1799.

not the illustration of the bachelor and married landlord, used by us before to expose the inequable nature of the land tax, apply in this case also? Moreover, the self-same obstacles which beset all attempts to estimate the sources of the incomes upon which it is levied, must gradually tend to reduce it, in like manner as they reduced the older forms of property tax, to another exclusive burden on the land. Lastly, its most distressing effects are unfortunately experienced by people of small means.

In fact, this Act of 1799 was popular with no section of the public. Holders of Government scrip loudly complained that the State had failed to keep faith with them. They had bought Consols on the understanding that they would receive a certain fixed percentage as interest, free of all charges and imposition, and they failed to see how their purchase could with justice be brought within the purview of the Act. Pitt saw the force of this contention, and when he renewed the charge later on he arranged that incomes should be as far as possible taxed whilst still in the hands of the original proprietors, whereby he endeavoured to draw a nice but worthless distinction between the taxing of the bondholders and the taxing of Consols.[1]

Whether, if the war had been prolonged, the tax would have been a second time re-enacted, it is impossible to say. The Ministry parted with it reluctantly, but Parliament with such manifestations of relief, that, when Brougham jestingly proposed that all the records of the tax should be burned by the public hangman, it adopted the idea so far as to gravely order their immediate destruction.[2] But, as we know now, no obliteration of its assessment papers sufficed to keep the thoughts of the Treasury from so convenient a source of revenue; and at the time at which we now write this inquisitorial impost is almost as stereotyped as the land tax, thus complying, more than any other State charge, however direct, with the famous principles of the great Scotch economist.

[1] *Vide* the report of Mr. G. Clure's third lecture on Stock Exchange Securities, at the London Institution, Finsbury Circus, Feb. 1st, 1893.

[2] Id. *Ibid.*

It remains for us to examine more in detail a great financier's desperate expedients during a period of dire emergency. Pitt had not perused the pages of the *Wealth of Nations* to no purpose. Adam Smith's fiscal principles became by adoption as much the offspring of the statesman's mind as by creation they had been of the philosopher's. The *Wealth of Nations* contains a careful study of Dutch finance, much of which now came to form the model of our English fiscal system. "North," Dr. Cunningham tells us, "borrowed therefrom not a few suggestions when obliged to procure funds for the American War." Advised from the same source, Pitt had set to work to simplify our machinery of finance. This he partly effected by the Assessed Taxes in 1785, and the Consolidated Fund in 1787. By means both of the Inhabited House Duty and the Assessed Taxes he attempted to equalise taxation and force owners of personalty to contribute. He also sought to free the labouring classes by repealing as far as possible such taxation as affected their interests. All three objects just cited were in his mind when, in 1797, he designed what was called the Triple Assessment; and, a year later, that 10 per cent. Income Tax which we have already discussed.

But the exigencies of warfare forced him off the paths of sound finance. In his anxiety to avoid tampering with the necessaries of labour, he overstepped the legitimate bounds of property taxation, and by the re-establishment of North's scheme of a Succession Duty on a more practicable basis, not only invaded the sacred precincts of Capital, but levelled the first blow at Thrift. When we come to sum up evidences in our last chapter, we shall cite this example of Pitt's as one among many other causes of the present agricultural depression.[1] It was all very well for short-sighted squires, whose fortunes had been exempted from the purview of the Act of 1780, to welcome it as a set-off against the Land Tax. There were, if they had chosen to listen, ominous growls of discontent emanating from mercantile circles, where the measure was regarded as "a scandal of class legislation." In their time

[1] *History of Taxation, passim*, Dowell's.

of triumph these landless capitalists revived the notion of taxing the inheritance; and realty at length became subject to the death duties by Mr. Gladstone's Act of 1853.[1]

[1] 16 and 17 Vict. c. 51. Compare *English Land and English Landlords*, p. 250. G. Brodrick, 1881.

## CHAPTER IX.

### THE STATE PROTECTION OF AGRICULTURE.

We now come to perhaps the most important question regarding the English Landed Interest that it has hitherto been our office to discuss; viz., whether it be the duty of a State to show any special favour to its husbandmen. The first half of the eighteenth century terminates the struggle between the flockmaster and the agriculturist. The contest of wool *versus* wheat had been raging for centuries. Hitherto Englishmen had either turned the whole of their holdings into pasturage, or kept them as much as possible under the plough. The introduction of winter provender was soon to allow them to strike a happy mean by combining the two processes on one holding. In the times when the fleece was worth two-fifths of the sheep, flocks had been kept for their wool; and when cattle were beasts of burden, herds had been kept as much for their muscular as for their milking capabilities. It was now discovered that mutton and beef were important adjuncts to the farmer's income. To put the case in the forcible, if somewhat coarse, language of Burke: "The only question respecting the excellence of a sheep became how he cuts up, how he tallows in the caul or in the kidneys." [1]

Strange to say, this alteration in the economy of sheep-farming indirectly brought about a change in the State policy regarding agriculture. For when wool was the principal product of the English soil, and its manufacture the principal industry of the English commercial classes, there was a certain amount of difficulty in drawing a distinction between the agricultural and commercial interests of this country; but

[1] Quoted by Eden in chap. i. of his *State of the Poor*.

when wheat husbandry predominated, and sheep were bred for the butcher, what little identity of interests that had existed between the husbandman and the trader was lost, and the reason of the State for favouring the sheep, *i.e.* because its wool was a chief item of commerce, was converted into that of favouring it because its flesh was an important item of human food. But in order to gain a comprehensive grasp of this phenomenon, we must, at the risk of repeating what we have already described, retrace our steps to earlier times, and ascertain in what direction the farming economy of this country was tending.

The commercial element that had entered into possession of the land during the Tudor period had devoted the bulk of its energies to the production of wool, and therefore pasturage had soon become a greater feature in English farming than tillage. On the other hand, the large exportation of corn throughout the first half of the eighteenth century would point to a different conclusion; and it is only by a searching examination of the statistics afforded by the national grain and wool markets, and the legislation affecting English agriculture when traced through several centuries, that we can reconcile these apparently conflicting phenomena.

During the fifteenth century the wool tod of 28 lbs. varied from 8*s.* to 5*s.* 4*d.* From the middle to the end of the sixteenth century it had increased to thrice that value, until in the reign of Edward VI. it was selling at 20*s.*[1] The class of landowners who succeeded the ecclesiastical landlord were not, as a rule, overburdened with capital. They had none of that sympathy engendered of traditional and mutual good offices, which bound together the interests of feudal lord and villein. A strong commercial instinct and a want of capital combined to induce them to avoid the heavy labour bills and the sinking of capital necessitated by corn husbandry; and so they set to work to abolish all the small farming establishments in their neighbourhood, to enclose and lay down the common fields to grass, and to drive out of the manor the superfluous labouring popu-

[1] Rogers, *Six Centuries of Work and Wages*, chap. xvi. p. 444.

lation.[1] The ancient owners of the land, the men who never quite got rid of the old seignorial instincts in their comprehension of the new ideas about landed proprietorship, and who still looked upon the agricultural labourer as a fighting unit of the feudal polity, would never have had the heart to have depopulated the manor in this wholesale fashion. Some of the commonest names on the estate were to them stirring memories of a time when blood, blue and puddle, had been mingled in a common cause. But what had the new landlords to do with associations which dated back to the days of the feudal battlefields, men whose fathers had been trade apprentices and their fathers before them absconding villeins? So they did just what they thought fit in their own eyes, and the great grass farms grew and grew in spite of restrictive legislation and constitutional bribes held out to corn husbandry. English statesmen, however, could not regard with indifference any process such as this, which, by depopulating the rural districts, deteriorated the chief recruiting ground for the national army. As Lord Bacon, in his *History of the Life of Henry VII.*, tells us, "That king seeing the effects of inclosures in the decay of towns, churches, tithes, etc., and the diminution of his subsidies and taxes, adopted a course so as to prevent depopulation, not so much by direct prohibition as by consequence. Inclosures he would not forbid, for that had been to forbid the improvement of the patrimony of the kingdom; nor tillage he would not compel, for that was to strive with nature and utility."

His remedy was to frame an ordinance whereby all houses of husbandry that were used with twenty acres of land and upwards should be maintained and kept up for ever.[2] The Act of 7 Hen. VIII. c. 1 endeavoured to put a stop to the destruction of rural dwellings; that of 25 Hen. VIII. c. 13 set limits on the individual's possessions in flocks of sheep; that of 31

[1] The case of the Manor of Stretton Baskerville, though it occurred earlier than the Reformation, is an illustration of this fact. John de Twyford, the ancient owner, dies, and the estates fall into the hands of a certain Mr. Smith, who depopulates the whole district for the sake of sheep farming.—Cunningham's *Growth of Industry and Commerce*, part i. p. 399, Ed. 1890.

[2] 4 Hen. VII. c. 19. Appendix 23, vol. 342.

Eliz. c. 7 attempted to create small holdings; those of 2 and 3 Ph. & M. c. 3, 22 Car. II. c. 13, and 3 Will. & Mary c. 8, encouraged cattle-breeding and tillage, with, of course, the ulterior object of discouraging sheep-herding and pasturage. By a long series of Acts[1] the exportation either of sheep or wool was prohibited; and by 1 Will. & M. c. 12, that of corn encouraged. When we add to all these legislative attempts to hamper the sheep proprietor, what has been already said in an earlier portion of this work regarding the excessive calls on the flock-master's profits, such as are evidenced by wool grants and the institution of the staple,[2] we may well wonder at the results which we have now to record. According to Davenant, one year's fleeces, shorn in England only, were worth at the beginning of the eighteenth century £2,000,000, but when converted into goods, four times that amount;[3] so that out of a total valuation of £6,788,166 for all exports in 1699, he estimated that the wool alone accounted for £2,934,292.[4] In corroboration of Davenant's valuation was the following episode. Complaints only the preceding year had been directed in Parliament against the evasion of enactments prohibiting the exportation of wool in the raw, not this time so much on account of any political animus against the flock-master, but because, as the bill of the following year records, the wool and manufactures of cloth, serge, baise, kerseys, and other stuffs made or mixed with wool are the greatest and most profitable commodities of this kingdom, in which the value of lands and the trade of the nation do chiefly depend;[5] and that the exportation of such goods from Ireland and the English plantations into foreign markets, heretofore supplied by England, tended to sink the value of land and ruin trade. The Act therefore proceeded to prohibit any exportation from such

[1] 11 Ed. III. c. 1; 8 Hen. VI. c. 22; 3 Hen. VI. c. 2; 22 Hen. VIII. c. 7; 8 Eliz. c. 3; 12 Car. II. c. 32; 13 and 14 Car. II. c. 18, etc., etc.

[2] Compare 27 Ed. III. st. ii. c. 1; 38 Ed. III. st. i. c. 7 and 13; 43 Ed. III. c. 1; 14 R. II. c. 1 and 5; 2 Hen. VI. c. 4 and 5; 8 Hen. VI. c. 17, etc.

[3] *Discourses on the East India Trade. Works*, ii. 146.

[4] *2nd Report to Commissioners of Public Accounts. Works*, v. 460.

[5] 10 and 11 Will. III. c. 10.

places except to England. In the following year the same Act which recorded the abolition of the export duties on corn withdrew also all restrictions of a like nature[1] on woollen exports, though those of the raw material were still banned by the legislature. But had the duties been payable during the three years succeeding the enactment of this statute, there would have been an increase of £21,189 over the revenues received from woollen exports during the three previous years. Since the duty was an *ad valorem* one of five per cent., this estimated increase of it represented an annual addition to the value of these exports of £142,000.[2]

The practice of clandestinely exporting the raw material to France, technically termed "owling," formed the theme of numerous pamphlets from the year 1730 to 1740. Committees of the House of Commons sat repeatedly on the subject, and various bills, some of which became law, were proposed for increasing the penalties on all concerned in this smuggling. The difference between the respective interests of manufacturing and producing the wool are now evident; and Parliament, in electing to foster those of the manufacturer at the expense of the flock-master, only carried out its traditional policy. After the American war, during which all manufactures had declined—among them that of the woollen factory —the price of the English fleece fell to a minimum, and owling became a lucrative business. So severe a measure was introduced into Parliament in 1786, that it evoked the most sarcastic strictures from the outraged Arthur Young. The country gentlemen, he surmised, *must have been at dinner*, and have left the guardianship of their interests to Messrs. Pitt and Rose. Betrayed by these false friends, they had got up from the repast to find that the "merciless manufacturers" had committed them to a measure which compelled them, on any supposed neglect of certain new-fangled forms and regulations on the part of their pasturage tenants, to countenance their transportation to farms in Botany Bay. Young maintained that wool was being smuggled out of our ports because our

[1] 11 and 12 Will. III. c. 20.

[2] Craig and Macfarlane, *History of England*, Bk. IX. ch. iv.

restrictions and prohibitions had sunk its market price at home below that current in foreign lands. He preferred a Free Trade as setting all manufacturers on a level footing; but he still more preferred, he said, the policy of reciprocity; and therefore he maintained that, until such was possible, a proper duty should be placed on the export of wool, in order to benefit our manufacturers, our flock-masters, and our revenues, while at the same time it would put a stop to smuggling.[1]

Young's championship of the flock-masters' interest was not unneeded at a time when the majority of husbandmen were converting the wastes into grain-producing enclosures, though any restriction of this practice was quite the last object he had in view. There are even at the present day in the United Kingdom some fifteen million acres of waste which have been found more remunerative as virgin pasturage than as cultivated soil. A hundred years ago there was this same quantity in England alone, on the greater portion of which only the flock would flourish. One unfortunate cause which urged farmers to neglect the breeding and improvement of livestock, and made them look to cultivation and the breaking up of waste lands for their livelihood, was their inability to protect their flocks and herds, by isolation or otherwise, from constantly recurring attacks of epizootic disease. For instance, in 1735, and again in 1745, the rot—a not very contagious disorder—raged amongst deer, sheep, lambs, hares, and rabbits, so that the carrion accumulated to such a degree that the fields and highways became tainted and polluted.[2]

By the middle of the century now reached, most agriculturists looked upon the prosperity of the flock-master as a thing of the past. As for Young, though, as stated above, he had attempted to promote the welfare of the wool industry, he regarded the sheep mainly as a means of producing manure for cereals. No more forcible proof of the gradual revolution in English farming, that had been taking place during the one

[1] *Annals of Agriculture*, vol. vi. p. 506.

[2] *A Complete System of Experienced Improvements made on Sheep*, etc., etc. W. Ellis. A copy of this work was found by John Donaldson in George the Fourth's library, in the British Museum.—*Agri. Biog.*, p. 52.

hundred years ending 1750, can be found than the comparison of this sentiment of Young's with that indifference, almost sublime, expressed by Hartlib as to the extent of the wheat-producing area in England, so long as there was enough wool to exchange for foreign corn.

It was fortunate that, in spite of public opinion, and notwithstanding the Government's preference for the ploughman, evinced by its frequent Small Holdings Acts, its appointment of Royal Commissions to inquire into the grievances of evicted cottagers,[1] and its instructions to the judges of assize to exert pressure on the local farmers,[2] the wool trade still managed just to hold its own against corn husbandry.

Turning now to this latter industry,[3] we find that it gradually received more and more favour from the statesman, though during the early period of our History,—viz., up to the reign of Edward III.—a general law against the exportation of grain (unless to Calais and Gascony) was in force.[4] At the end of the fourteenth century appears the first permissive enactment in favour of its exportation; but the effects of this measure (17 R. II. c. 7) on prices cannot be ascertained; for in 1390, when the prohibition against exportation was in force, wheat was selling at 8*s.* 9*d.* per quarter, and in 1401, eight years after exportation had been permitted, it was averaging 1*s.* 3*d.* less.[5]

But this law had not entirely freed the market from royal control, for it enacts that the king, at the request of his commons to him made in this present Parliament, hath granted licence to all his liege people of his realm of England to ship and carry corn out of the said realm to what part that please

[1] As in 1638.

[2] As at York in 1648.

[3] For the following statistics see *Considerations on the Exportation of Corn*, 1770; *Abstract of Corn Acts*, etc., 1785; and *The Occasion of the Dearness of Provision*, etc., 1767.

[4] 34 Ed. III. c. 20.

[5] I have taken Professor Rogers' averages. *Vide History of Agriculture and Prices*, vol. i. p. 284 and vol. iv. p. 221. A writer in 1770 gives the prices of wheat in 1390 and 1401 as 16*s.* 8*d.* and 16*s.* respectively. *Vide Considerations on the Exportation of Corn.* London, 1770.

them, except to his enemies, *paying the subsidies and devoirs thereof due*, etc., etc. Also the State still reserved a right to prohibit exportation when it considered that the interests of the country demanded it.[1] In 1436[2] the wheat farmer freed his rights of exportation from any State interference unless home prices exceeded 6*s.* 8*d.* per quarter. He owed this piece of good fortune to the exigencies of the situation created by the defeats of Talbot in France, where, ever since the siege of Orleans, difficulties of victualling the army in the field from French sources had arisen.

The effects of this fresh legislation, accentuated by a miserable season, seem to have been to have forced corn up to famine prices; and in 1439 and 1440 wheat was so scarce that the commons petitioned the king to take certain measures in order to render its circulation brisker within the kingdom. This agitation, however, came to nothing; and the Act of 1436 was confirmed by 20 Hen. VI. c. 6, and made perpetual by further legislation in 1445.

About the middle of the fifteenth century[3] we find the first instance of corn importation. By the efforts of the Hanse League foreign competition in the home grain markets had reduced the price of the quarter of wheat to 4*s.* 6*d.* Even during the disturbed period of the Civil Wars it never rose above 8*s.*, and consequently in 1463 importation was prohibited as long as prices fell below 6*s.* 8*d.*—the Act stating the cause for this to be "because the labourers and occupiers of husbandry within this realm are daily grievously endangered by bringing corn out of other lands." Glancing in passing at the market statistics, we note that wheat rose in price gradually each successive year after the enactment of this measure.[4]

But the wheat producer had not by any means emancipated himself from legislative control, for in 1534[5] we find the sovereign resuming his rights over the exportation of every

[1] Compare 4 Hen. VI. c. 5.
[2] 15 Hen. VI. c. 2.
[3] 3 Ed. IV. c. 2.
[4] Rogers' *Agriculture and Prices*, vol. iv. p. 241.
[5] 25 Hen. VIII. c. 2. s. 4.

kind of produce by the re-establishment of the royal licence, nor is there anything in the market returns of the year to justify this action. Wheat, in fact, was about 7*s.* per quarter, a price considerably lower than its average during the preceding ten years.[1]

This, however, was that fourth decade of the sixteenth century so disastrous to the ecclesiastical landowners, and it is probable that the cause of the phenomenon is to be found in the disunited state of the landed classes. The ranks of the great seignorial landowners were being terribly thinned by the dissolution of the monasteries. The fresh proprietors would not for a time be in touch either socially or politically with the older landed gentry, while in contradistinction to this breach in the seignorial ranks, the commercial classes were rich, united, and fast growing in political importance. Just ten years later we find heavy penalties attached to the transport of native corn across the seas without licence, and those who were detected in exporting from Bristol harbour so small an excess as four quarters beyond what they were entitled to by licence, became liable to the forfeiture of both ship and cargo.[2] The severity of this punishment proves how much licences had been abused, and also how cautious we then were of exporting more than the nation could spare.

It was, however, by now beginning to be recognised that the systems respectively of allowing exportation by licences and of punishing illicit exportation by severe penalties were a failure. The former gave opportunities to Crown officers for peculation, and the latter, though continually increased in severity, did not prevent an alarming scarcity, entirely caused by excessive exportation of provisions. We must not omit to take into account at this particular period the effect of 5 and 6 Ed. VI. c. 14 on the prices of the home market. This severe legislation against the practices of forestalling and regrating almost entirely stopped the free circulation of corn within the kingdom. Indeed, without sections 12 and 13 of the Act,

[1] Rogers' *Agriculture and Prices*, vol. iv. p. 259.
[2] 34 and 35 Hen. VIII. c. 9.

there might very easily have been famine in one county, while in the next corn was being wasted for utter lack of consumers.

Then ensues that series of Acts[1] briefly mentioned already in Part I. of this work, commencing in 1553 and ending in 1670, during which the export limitation rises from 6*s.* 8*d.* per quarter to 48*s.* By 13 Eliz. c. 13 the law of 1394 was restored, and the right of exportation made absolute. It was an exceedingly wise measure, being entitled "An Act for the increase of tillage and the maintenance of the navy," and it left in the hands of the Lord President powers, after due consultation with the local authorities, to prohibit exportation if he thought it advisable. The policy of gradually increasing the exportation price, which is the first feature in this series of Corn Laws to strike the reader, has been attributed to the lowering of the value of specie, caused by the wealth brought from America. The statute of 35 Eliz. c. 7 in the year 1593, for example, coincides with a season when precious metals were being poured into the kingdom by the large capture of Spanish treasure ships.[2] James I. allowed exportation at first till wheat was 26*s.* 8*d.*, afterwards till it was 32*s.* In 1660 a more hearty encouragement was bestowed by the State on exportation, which was allowed until wheat exceeded 40*s.* per quarter. Ten years later the exportation price was raised to 53*s.* 4*d.* The first of these two Acts was, no doubt, intended by a grateful king as a boon to that loyal portion of his restored subjects who had sacrificed all their available personalty in his cause; but it was soon found to press hardly upon the cottager class—a circumstance which opened men's eyes to the advantages of a free circulation of grain *within* our borders; and in 1664 the statute against engrossing, forestalling, etc., was so far modified as to allow the free barter of corn in market overt;[3] and after the harvest of 1665 the salutary effects of this step on prices became evident.

[1] 1 and 2 Ph. & M. c. 5; 1 Eliz. c. 11; 5 Eliz. c. 5; 13 Eliz. c. 13; 35 Eliz. c. 7; 1 Jac. I. c. 1; 21 Jac. I. c. 28; 3 Car. I. c. 4; 12 Car. II. c. 4; 15 Car. II. c. 7.

[2] *Considerations on the Exportation of Corn*, etc. London, 1770.

[3] 15 Car. II. c. 7.

But it is now time to revert to the commencement of this series of Acts increasing the powers of English exporters, and to compare their effects on the statistics of the markets. In 1553 the average price per quarter of wheat was 10*s.*

| | | | |
|---|---|---|---|
| From | 1550 | to 1560 it was | 15*s.* 3¾*d.* |
| | 1560 „ | 1570 „ | 12*s.* 10½*d.* |
| | 1570 „ | 1582[1] „ | 16*s.* 8*d.* |
| | 1583 „ | 1592 „ | 23*s.* 8½*d.* |
| | 1593 „ | 1602 „ | 34*s.* 10½*d.* |
| | 1603 „ | 1612 „ | 35*s.* 3½*d.* |
| | 1613 „ | 1622 „ | 37*s.* 9*d.* |
| | 1623 „ | 1632 „ | 43*s.* 7½*d.* |
| | 1633 „ | 1642 „ | 41*s.* 2*d.* |
| | 1643 „ | 1652 „ | 48*s.* 11*d.* |
| | 1653 „ | 1662 „ | 47*s.* 2½*d.* |
| | 1663 „ | 1672 „ | 35*s.* 8¾*d.* |
| | 1673[2] „ | 1682 „ | 42*s.* 2*d.* |

Up to 1660 the importation of corn had been prevented by the natural laws of supply and demand; now, however, these laws were from artificial causes, which we shall shortly examine, operating in a contrary direction. Importation had to be restricted by the imposition of a prohibitory duty so long as the home price was below 53*s.* 4*d.*, and with a duty of 8*s.* when it was above that price and below 80*s.*[3] At the close of the seventeenth century, in spite of increased demands and enhanced prices at home, small quantities of wheat continued to be exported annually.[4] But from the beginning of the following century the amount sent abroad rapidly rose, until, in 1725, over 200,000 quarters left the country.

For the causes of these phenomena, we must search not only the Statute Book, but also the pages of history. In the first place there is no doubt that before the death of Charles II., corn dealers were widely evading the last remnants of the

[1] *Agriculture and Prices.* T. Rogers, vol. iv. p. 292.
[2] Id. *Ibid.*, vol. v. p. 276. [3] 22 Car. II. c. 13.
[4] In 1697, 14,699 quarters of wheat and flour were exported. In 1699 only 557; in 1700, 49,056. In the ten following years it was never under 74,000. Craig and McFarlane, *History of England*, Book IX. ch. iv.

Forestalling Act, and buying up grain for exportation outside the markets overt; and in the second the foreign trade in corn now began to receive an enormous impetus by the new State policy of a bribe of 5*s.* per quarter to the exporters. In other words, English farmers began to be paid for growing wheat and sending it abroad, instead of having to pay the State for this privilege, as did their French brethren.[1] It was this agency, coming into force, not, as is generally supposed, just after the Revolution, but in the latter part of the reign of Charles II.,[2] which caused a flow of corn outwards, while its high prices and scarcity at home created a back current of imported corn, stemmed, however, by immediate and strenuous legislative restrictions.

By the help of history we obtain a clue to this unlooked-for generosity to the Landed Interest at the hands of Government. All the available resources of real property had been utilised in furthering the royal cause during the late wars. Loyal and willing though his country gentlemen still were, there was a limit to their generosity. This was reached at the period of the second Dutch war, for the furtherance of which the landlords at last began to grudge the king his supplies. Finally Charles, at his wits' end, and with the sound of foreign artillery still ringing in his ears, devised a fresh Subsidy Act, which, though, like its predecessors, it abstracted the necessaries of war principally from the land, dangled before the eyes of the discontented husbandmen the prospect of immediate gain in the shape of a 5*s.* bounty on each quarter of exported wheat. Thus 25 Car. II. c. 1 introduced that principle which was renewed in (not initiated by) the Act of 1698.[3] But the short interval between the two statutes marks a crisis in financial policy. Before the Act of 1698 the supply either of fighting material for the king's army, or of the necessary funds to defray the costs of his extravagances, had a good

[1] *Les Interêts de la France mal entendus.* Comte de Boulainvilliers.

[2] 25 Car. II. c. 1, § 38. It was in force three years, during which wheat and malt were dearer than at any former times, save those of public confusion; and prices dropped at once when, in 1676, the bounty ceased.

[3] Compare 25 Car. II. c. 1, § 38, and 1 W. & M. c. 12.

deal to do with our wool and corn duties; but then succeeded a period when the regulations with respect to exportation and importation were inspired by the laudable desire of promoting abundance, if not low prices. Thus, though the motives which prompted the introduction of a bounty clause in the Subsidy Act of Charles II. were purely self-interested, there is little doubt that those which prompted William and Mary to renew this system, imported a fresh phase into the State policy regarding agriculture. The doctrines of Quesnai were as yet unpublished, but the views of Hobbes, Asgill, Locke, and Petty were available. If, as Locke said, the products of the earth, combined with the labour of producing them, were the sole provisions of life, it followed that the agriculturist was the most, if not the only, valuable individual in the community. If all taxation, as Locke also said, must be obtained from the agriculturist, it was to the interests of the State that he should receive marks of special national favour.

Sir William Petty recognised this principle, and pictured an imaginary case where a community of human beings make a computation that two million pounds (equivalent, say, to one twenty-fifth part of the proceeds out of their lands and labour) are necessary to the public charges. They would, he surmises, have either to cut out ("excise") a portion of the land itself, or, preferably, devote one twenty-fifth part of their rents for this duty.[1] While admitting the impracticability of any such scheme, we cannot impugn its justice. As long as the resources of the community were drawn entirely from native soil, the authorities were perfectly reasonable in seeking to derive the expenses of government from its produce. But even in the seventeenth century an economist, by going to any of our chief ports and examining the cargoes of homeward-bound ships, might have ascertained that a portion of our national wealth was being derived from foreign soils. It would therefore follow that a portion of our State expenses should have fallen on the foreign landlord. Otherwise the same drawbacks which we pointed out in Part I. of this work[2]

[1] *A Treatise on Taxes and Contributions*, etc., 1679.

[2] Comp. Part I. p. 117 and p. 284.

as applying in the case of the tithe would also apply in the case of taxation. The English agriculturist, loaded with the burdens of our fiscal system, would enter upon his competition with the foreign producer on unequal terms, being, as it were (without special State protection), handicapped in his attempts to undersell the foreign producer in the home markets. But Petty did not recognise this circumstance, or he would have preferred that alternative scheme of his which set apart one twenty-fifth part of the land itself to provide for the State expenses, thereby leaving the rest of the soil to be cultivated entirely free of any burdens of this nature.

There was yet another circumstance which must have begun to exert its influence on our State policy even before this particular epoch, and that was the emigration question. During the earlier Stuartine period some of our Puritan population had migrated to America, and begun to do there what they should have been doing here; namely, increasing the wealth of their country by rendering its virgin soil profitable. The folly of neglecting the interests of our native husbandry, and thereby as it were giving a fillip to emigration, must have become apparent to politicians by the end of the seventeenth century, when the huge proportions of waste lands were demanding the services of every unit of the population. And we know from Young's *Annals*[1] how, in 1784, John, Lord Sheffield, pointed out with regret that the agricultural produce of the descendants of those earlier Stuartine voyagers (by then numbering close on two million souls) was already competing in English markets with our own; and that had we retained them here, apportioned amongst them our wastes on condition of cultivation, and encouraged their efforts by means of bounties, our own unproductive acres would have been rendered remunerative instead of those in the American colonies.

But even when prompted by the best of motives, our legislators unfortunately often adopted measures which had a contrary effect to that which they desired. They recognised that when they prohibited exportation they lowered prices, and when

[1] *Annals of Agriculture*, vol. i. p. 380. A. Young, 1784.

they encouraged it they raised them. They also recognised that if they brought prices too low the rate of production decreased, and that if they got them too high the poor began to suffer. Their principal object seems therefore now to have been to strike a happy mean between these two extremes. When, in 1698, wheat rises to 68*s.* 4*d.* per quarter, exportation is prohibited and importation allowed.[1] When, in 1700, prices are reduced, the bounty, which had been suspended for nine months, is reinstated.[2] When, in 1709, wheat gets up again to 78*s.* 6*d.*, exportation is controlled by means of the license system.[3] Then ensues a period of thirty years, when the State does not see fit to interfere. Next ten fine harvests, an epizootic distemper, and the reclamation of wastes combine to promote the cause of tillage. But in 1757 a cry of distress goes up from the poor to Parliament which promptly stops exportation and allows importation.[4] During the fifty years terminating in 1763 there had only been five really bad harvests. The average price of wheat was 34*s.* 11*d.* the quarter, and the annual yield in England and Wales was about 3,800,000 quarters, out of which as much as 300,000 were often available for exportation. Then ensued ten successive bad harvests, during which the average price rose to 51*s.*, and the bounty of 5*s.* was often suspended. The internal corn trade was enfranchised in 1772,[5] by the partial repeal of the law of 1689 and the imposition of a nominal duty of 6*d.* per quarter on foreign wheat whenever the price in the home market exceeded 48*s.* When it dropped to 44*s.*, exportation was prohibited; and though in the ten years from 1760 to 1769 the

[1] 10 Will. III. c. 3.

[2] 11 and 12 Will. III. c. 1.

[3] 8 An. c. 2 and 11.

[4] 30 Geo. II. c. 1.

[5] Many regretted the repeal of the penalties against forestalling, engrossing, and regrating, on account of the damage done thereby to local trade wherever there was a good market. The Preston authorities, by maintaining a strict code of restrictions, managed to prolong the old economy, and neither regrating nor forestalling was possible, a circumstance which rendered this market at the beginning of the present century the best in England.—*Warner's Tour*, vol. ii. p. 136.

excess of wheat exports over imports was 1,384,000 quarters, in the next ten, nearly all of which were plentiful, the imports exceeded the exports by 431,000, and in the five years ending 1785 the excess of imports was 410,000 quarters.[1] Then another series of good harvests once more enabled the producer to export corn under the old bounty system; but in 1791 the almost obsolete physiocratic theory that a country should on no account be dependent on foreign sources for its food supply revived and caused an agitation which brought about the repeal of the Corn Law of 1773, the nominal duty of 6*d.* being only allowed when wheat was as high as 54*s.* per quarter. The following year marks the period when the farmer ceased to produce a surplus of wheat sufficient for foreign trade; and though the Bounty Act was not repealed till 1815, prices never sank low enough to enable the corn factor to avail himself of its advantages. The last decade of the century was, in fact, conspicuous for its bad seasons; and in June, 1795, the prices of wheat rose to 134*s.* the quarter. Thereupon importation was stimulated by a system of enormous bounties, and in 1795 neutral vessels employed in the corn trade were seized and compelled to sell their cargoes to the Government agents.[2]

Bakers' prices at this period afford very unreliable evidence as to the effects of this legislation on the consumer. The Assize of Bread prevailed in various parts of the country, and, as we shall show later on, though it more or less controlled the profits from the oven, it had no effect whatever on those from the millstone. The wheaten loaf seems to have been the same price throughout the southern counties, except in Hampshire and Essex, where it was a halfpenny less, and in Gloucestershire, where it was a halfpenny more. It is stated by Young to have been uniformly 2*d.* per pound. On the other hand, the raw commodity was often selling at 10*s.*, 15*s.*, and even 20*s.* per quarter dearer in the west than in the east of England.[3] In the northern counties bread averaged only 1½*d.* per lb., which

[1] *History of England*, Vol. VII. book i. chap. iv. Craig and Macfarlane.

[2] Id. *Ibid.*, Vol. IX. book ii. chap. iv.

[3] *Six Weeks' Tour through the Southern Counties*, p. 232. A. Young.

must be attributed to its increased distance from London, the chief centre of the corn consumption. Thus 100 miles from the metropolis it was 1½*d.*, thence up to 200 miles it was 1¼*d.*, and beyond that distance 1*d.*[1]

Wheat, however, was not the only material used for making bread. In the districts of Leeds, Fremington, Shenstone, and Newcastle-under-Lyme, its substitute was oats; in that of the other Newcastle, rye; about Raby, Alnwick, Belford, Helton, Fenton, and Rathbury, a mixture of barley and pease; and in other districts various combinations of barley, rye, pease, and beans. Towards the close of the eighteenth century, Eden, in his *History of the Poor*, went to much trouble in enumerating the various substitutes for wheaten bread used throughout Great Britain. Besides "the healsome porritch, chief of Scotia's food," he mentions buttered sowens, pease-kail, carlings, and bannocks as the diet of the Caledonian labourer; and riddle-cakes, crowdie, skilling, and frumenty as that of England's northern peasant. He points out that though all these were preparations of cereal or leguminous products, not one was composed of wheat. He further speaks with regret of the Southern labourer's prejudice against the relaxing properties or bitter taste of such wholesome foods, and demonstrates how the simple yokel would take as much barley into his stomach as his Scottish brother, though unfortunately before he would touch it it had to be malted.

It was said that a larger demand among the poorer classes for wheaten bread, not entirely met by the extension of the area of corn husbandry, had towards the close of the century a decided influence on our fiscal policy; but it would be more interesting could we have ascertained if the influence of our protective policy towards corn husbandry had brought about these variations in the price of bread in different parts of the kingdom, or the frequent instances where substitutes for wheat flour remained in fashion.

We have now brought this particular portion of our narra-

[1] *Six Months' Tour through the Northern Counties*, vol. iii. p. 278. A. Young.

tive as far as it is our present purpose to pursue it. When next we discuss the Corn Laws, they will be found to be the battle ground of a great national contest, *i.e.* a struggle for supremacy (we had almost said existence) between the landed and commercial interests.

## CHAPTER X.

### THE MAKING OF THE LAND.[1]

THE policy of the State in having tried to check sheep farming and promote corn husbandry is open to question; for, admitting that its laudable end was to increase the prosperity of the community, we must not forget that its primary object was to raise prices in the home market, and that the means employed was its offer of a bounty on exported corn. The legislature made no secret of this, for the Statute Book itself records "that the exportation of corn and grain into foreign parts when the price thereof is at a low rate in this kingdom hath been a great advantage, not only to the owner of land, but to the trade of the kingdom in general."[2]

It may have been that our wool trade had continued to flourish *in spite* of legislation, and that our corn trade had increased *on account* of it; but that the legislature was entitled to all the credit of these successful results was the confirmed opinion of many distinguished foreigners of that day. In fact, the universal prosperity permeating English agricultural circles had created an envious admiration amongst the French, or at any rate amongst that section of them who, as followers of Quesnai and the physiocratic school, were interested in comparing their own disastrous agricultural economy with ours. It was supposed that by making her agriculture an object of commerce, England had increased her national importance abroad; and in 1757 a foreign author held

[1] I have taken the heading of this chapter from an expression of Lord Cathcart's in his essay on Part I. of this work, which appeared in the Journal of the R.A.S.E. for December, 1892.

[2] 1 W. & M. c. 12.

up her policy in this respect as a model for his own nation, because, he argued, tillage by State compulsion had added one more source of foreign profits to England's wealth, and thereby increased her influence over the foreign dynasties.[1]

The difference between our State policy with regard to agriculture and that of the French at this epoch may be summed up in the few following words of this same writer. "In other States," he says, "private persons pay the Government for the exportation of grain; England acts quite otherwise, and pays them." His work appeared in print at a most opportune moment. A complete revolution in the French agricultural policy was on the verge of taking place; and if English husbandry had hitherto served as a model for the French farmers, their efforts and energy were now about to completely reverse the situation.

Almost half-way between 1700 and 1800 there was concluded the Treaty of Aix-la-Chapelle, which put an end to the great war of the Austrian succession, after which, by a tacit consent, all the nations of Europe devoted their attention to agriculture. A century and a half before, while the Flemish husbandmen had been acting, the French had been merely writing. *Les Moyens de devenir riche*, and *The Cosmopolite*, by the potter Bernard de Palissy; *Le Theâtre d'Agriculture*, by De Serres; *L'Agriculture et Maison rustique*, by Etienne and Liebault, even the later publication of *Le Cours complêt d'Agriculture*, by L'Abbé Rosier, would not have produced practical results had not the French discovered by means of stern facts that prosperous agriculture and successful warfare were closely intermingled. The recent national peril of being starved into submission by the enemy, seconded by the prominence given to agriculture by the followers of Quesnai, induced the king to publicly encourage this industry; and the nobility, male and female, followed the royal example. Prizes were offered in the academies for improvements in agriculture. Societies were formed for its encouragement at Tours and Rouen, and professorial chairs were established at the

[1] *Les Interêts de la France mal entendus.* Comte de Boulainvilliers.

great universities for its advancement. Switzerland, Sweden, Denmark, and Germany followed the French king's lead. Husbandry was recognised as a science, and taught publicly in all the principal States of Europe.[1] Why England did not at this time endow a chair of agriculture at one or both of her great universities it is hard to say, though no harder than to say why she does not do so now; but there is no doubt that the example of their neighbours across the Channel inspired our native farmers with fresh energy.[2] Indeed, it is doubtful whether the valuable information communicated to the foreigner by the writings of Tull and the visits of Young were not fully repaid by the good effects on this nation of this outburst of agricultural energy abroad. If Bakewell had been instrumental in showing the Continental farmer how he could improve the breeds of his livestock, the foreigner in the person of Linnæus was showing Bakewell how he could improve his feeding stuffs. In fact, the art of agriculture tended to weld together into one great mutual benefit society all the European nationalities, which a long period of war had broken up into hostile and jealous factions.

The attention of the British public once focussed on the agricultural industry was fruitful in much immediate good. But in order to realise the extent to which our husbandry advanced during the later period of the century, we must draw a comparison between that of its first fifty years and that of its last fifty. And firstly the immense strides made after 1750 dwarf the decided advance made prior to that date, thus tending to lead a superficial reader to infer that farming was at a standstill throughout the first five decades of the century. But during this earlier period a fall in prices, notwithstanding the existence of the bounty, set in, which can only be attributed

[1] Even the bigoted and backward Spaniard was at this time inviting Linnæus to preside over a college of agriculture.—Rees, *Cycl.*, *sub voc.* "Agriculture."

[2] Mr. Temple, of Trowbridge, in 1772 left a legacy to establish a professorship of agriculture at Gresham College, London; but his will was litigated, and no appointment took place.—*Annals of Agriculture*, vol. vii. p. 473.

to such improvements as the gradual enclosure of wastes, the consolidation of farms, the substitution of corn husbandry for sheep farming, and a preponderance of good harvests. Towards the close of the century the high prices of all necessaries and the low rates of wages (both attributable to the rapid increase in population) brought the condition of the husbandman to the acme of prosperity, but combined to reduce his labourers to the extreme verge of want.

The first of these two periods records the struggle between the open field system and green crop cultivation, the latter the triumph of scientific farming. In 1764, out of 8,500 parishes in England, more than half were still unenclosed. At the beginning of the reign of George III. the total number of enclosure Acts amounted to 244, while by the end of it we find nearly 4,000, and throughout its duration more than a million and a quarter acres were redeemed from the waste. The old communal system of agriculture was quite unfitted for scientific farming. The parish plough-ground, unenclosed as it actually continued to be, was, metaphorically speaking, sufficiently fenced off from all connection with the agricultural chemist. As long as several scattered strips represented each individual's holding, any general system of drainage was impossible; and while the livestock of the community could be turned on to the stubbles in August, turnip culture was impracticable. Without some intricate arrangement of coaration, no individual farmer could, without barefallowing, keep his land clear of weeds. Cross cultivation was out of the question, perpetual grain and pulse crops prevented that repeated spring harrowing which the later sown turnips and potatoes afforded, and the scientific breeding of livestock was, as we have shown in the last chapter, too risky an undertaking to be attractive.

It would seem from these facts that a general practice of enclosing would have set in far earlier than it really did. But as yet the only alternative husbandry was that on one of the few small holdings which continued legislation had succeeded in creating. Those who had accumulated a little capital no doubt competed at ruination rents for such-like tenancies, and if successful, toiled night and morning, as only small

farmers know how to toil, to obtain sufficient means to keep body and soul together.

In 1651, Blith had described poor farmers as "living worse than in Bridewell." Certainly the hard manual labour entailed by the small holding, if not the scanty diet it afforded, would have compared unfavourably with these two items of prison life.

The contest between the advocates of small holdings and those of large pasture farms attracted much literary talent to the subject. For a time the farmer's mind would be drawn towards one kind of agricultural economy by that special pleader Arthur Young, or the agricultural divine, Dr. Howlett, and then be once more unsettled, as some vigorous appeal in favour of small holdings from the pen of John Mills, George Chalmers, or Richard Price, came under his notice. Many considerations biassed men's minds towards one system or the other. The Labour question had become the burning subject of the hour. "I knew too much of the inconveniency and slavery," wrote Tull, "attending the exorbitant power of husbandry servants and labourers over their masters to propose to myself any other gain by occupying land but to repair the injuries done to it by bad tenants." The working classes were leaving the rural districts and following in the wake of those textile industries which, hitherto carried on in the farmer's homestead, were henceforth to find a wider field for development in the town factory. Instead of descending to entreaty or bribes in order to induce his labourers to remain at home, the farmer naturally chose the more independent process of laying his land down to grass and enclosing it.

Many, however, still preferred the common pasturage on the waste to the improved herbage which could be obtained from the enclosed grass field. There was a strong reluctance, in a class by no means sure of its tenancies, to lay out capital in fences and pasture seeds. The short distich,—

> "Bouch and sit,
> Improve and flit,"

had become a common proverb of the period.

Some of the objections to the system of enclosing disappeared later on when the inducement of high prices of corn and low prices of labour seemed to invite the farmer to extend the area of his corn tillages; but at any rate in practical farming circles the objections to enclosing overruled the advantages at this period, as we shall see before we have finished. We must, however, first draw attention to the solution of the chief difficulties just described, brought about by the discovery of a fresh farming economy.

It was the scientific agriculturist who came to the rescue, and succeeded just when all means, constitutional and unconstitutional, seemed to have failed. The mixed farm, neither so large as the great grass tracts of the flockmaster nor so small as the arable tenancies created by Parliament, found occupation for all the industrial sections of the agricultural community. On such a holding a farmer might test the experiments of Jethro Tull in turnip-drilling, and at the same time follow out Bakewell's hints on sheep-breeding. In cases where the enclosure was as often arable as grassland, there was room for the ploughman as well as the shepherd. Landowners, who, if they farmed at all, had hitherto converted their estates into the kind of sheep tracts now common in Australia, began to take an interest in the breeding of cattle and in the cultivation of winter feeding stuffs. Any East Anglian farmer could see with his own eyes what mixed husbandry was like by paying a visit to "Turnip" Townshend's estates. Several of the leading agriculturists in Europe had made a pilgrimage to Dishley, to see the novelty of sheep reared for their mutton; and Tull's method of pulverising the soil was not only a topic of conversation for agricultural sages as far north as the Hebrides,[1] but a subject of literary interest throughout the Continent.[2] Plenty of northern landowners, such as Lords Cathcart, Stair[3] and Hopetown, Sir John Dalrymple and Cock-

[1] *Vide* the account of the disputation between Doctors Johnson and Campbell, in Boswell's *Life of Johnson.*

[2] His book was translated into several foreign languages.

[3] Lord Stair is said by some to have introduced the turnip into Scotland.

burn of Ormiston, as well as farmers like Dawson and the Culleys, soon began to imitate all that was good about Townshend's and Bakewell's systems. Lord Belhaven, Donaldson and Maxwell,[1] north of the Tweed, Mortimer, Bradley, Hales, Miller, Tull, Grew, Marshall and Young, south of it, were diffusing their ideas throughout the United Kingdom by means of the printing press.

In 1725 *The Society of Improvers in the Knowledge of Agriculture in Scotland* had so aroused the spirit of the North, that laird after laird turned grieve and took to managing the home farm, and tenant after tenant followed his landlord's example. The result was that Scottish agriculture, hitherto lagging behind English, now overtook and even outstripped it. By the efforts of Blith, even the farming of Ireland had received a stimulus towards the close of the seventeenth century; the fruits of which are recognisable in the institution of a society there, which, judging from the similarity of its objects and the date of its appearance, must have been modelled on the lines of that of Scotland just mentioned. In fact, had Pepys edited his *Diary* a few decades later, he would have omitted the remark that "Our gentry are grown ignorant in everything of good husbandry;" though at the time the words were written, the idleness displayed by many of the wild bloods reinstated by Charles II. in their family estates had fully justified the reproach.

But it must not be supposed that landlords and farmers were the only people who took an increased interest in husbandry. As a writer of an agricultural biography puts it: "The lawyer doffed his wig, the clergyman laid aside his gown, and the sons of medicine neglected the jar and pestle, in order to contribute a mite to further the good cause." Reverend gentlemen like John Howlett urged the merits of reclaiming wastes; fellows of learned societies like John Ellis wrote theses on cattle breeding; doctors of medicine like Sheldrake, Hill, and Home, expatiated on soils and crops. Land-stewards like John Richards of Exeter, in 1730, pub-

[1] R. Maxwell published the *Transactions of the Society of Improvers in Scotland*, and lectured on Husbandry in Edinburgh.

lished methods of valuing the various forms of realty; scholars like Corbyn Morris, in 1759, described a system of estate accounts which included both our modern cashbook and ledger, and earlier still (viz., in 1727) Edward Lawrence, a surveyor, brought out forms of cash and rental books which afford us valuable models even at this present day. Michael Menzies, the lawyer, invented the threshing machine;[1] Horn, the sowing machine; Lummis, the Rotherham plough;[2] Praed, the drill plough; Small, the swing plough; Bryce, the reaping machine; Cooch, the winnowing machine; and Salmon, the haymaker. Swedes, the field cabbage, the mangold, the kohl rabi, timothy grass, prickly comfry, and the spring variety of wheat were all crops introduced during the last half of the century. Allen, of Lynghouse, resuscitated[3] the old system of marling earlier still.[4] Bone dust was first tried as a manure by Col. St. Leger at Doncaster, and salt by the Marquess of Rockingham, in 1765. Cattle shows, ploughing matches, farmers' clubs, then became frequent. The *Society for the Encouragement of Arts, Manufactures, and Commerce* was revived, and exhibited its renewed vigour by rewarding the originators of agricultural improvements with medals and prizes. The *Bath and West of England*, and the *Highland Societies*, the *Smithfield Club*, and last but not least the *Board of Agriculture*, all sprang into being at this same period. When first the institution of this Board was proposed, Pitt was continually accused of creating a job for his own private and selfish ends. But on some one in the House daring to hint that this was his object, he was crushed

[1] In 1735 George Thomson edited a work containing the description of a threshing machine invented at Dalkeith, which in a minute gave 1320 strokes, and was worked by water, wind, or horse power.—*Agricultural Biography, sub voc.* "Thomson." J. Donaldson, 1854.

[2] *The Practical Husbandman.* R. Maxwell, 1757.

[3] We say "resuscitated" advisedly, because there is no doubt that in early Tudor times marling was practised, and Young mentions that nearly all of the parishes around Dishley had a huge depression of the surface which had been called time immemorial "The Marle Pit."—*Farmer's Tour into the Eastern Countries*, 1771, p. 110.

[4] *Annals of Agriculture*, vol. v. p. 121.

with the following laconic reply: "The Honorable Gentleman will be pleased to wait until the Society is formed, when with his great sagacity he perhaps may discover that the best and most solid interest of the kingdom is the only object."[1]

The significance of the Premier's retort was not, however, entirely appreciated until the list appeared. It was headed by the two Archbishops, the Lord Chancellor, the Lord Privy Seal, and the Lord President of the Council, and it included all the leading agriculturists in both Houses.[2] As a promise, however, of its coming usefulness, the names of its president and secretary would no doubt have outweighed in the public estimation all those of the great dignitaries which preceded them. The nation, under the guidance of Sir John Sinclair and Arthur Young, felt that, whatever direction reform might ultimately take, it would be an intelligible and practical one. Without Young, indeed, the machinery of its management would probably have failed to work; for who will venture to assert that there would have been anything like so searching and successful a system of investigation into the wants of the Landed Interest had he not, in his private capacity as itinerant agriculturist, initiated it, and, in his official capacity as secretary to the Board, adapted it to public uses. His appointment, in fact, ensured its popularity; and when the list of subjects[3] on which the Ministry required enlightenment came out, the public recognised his handiwork and were satisfied.

It would be impossible to examine the arguments of all those who, throughout this period, dipped their pens into the ink in order to advertise their views on the agricultural problems of the day. Never before had been experienced such energy in all branches of human industry. The robust habits bred out of sixty years of warfare, had endowed every Englishman with an exuberant vigour. Trade, shipping, and manufactures employed a large surplus population, which as yet the farmer was able to feed. The price of agricultural produce rose rapidly; the provisioning of the shipping beneficially

[1] *Gentleman's Magazine*, 1791, p. 768.
[2] Id. *Ibid.*, p. 795.
[3] Id. *Ibid.*, p. 957.

affected the grazier, and the increased wealth and comfort of the people reacted on the husbandman. Instead of the uneducated, poverty-stricken representative of the ancient predial system, a class of keen capitalists became tenants of the English soil, so that farming on a large scale came into fashion. The energy of the nation as a whole had its effect on the literary productions of the age; and pamphlets, tracts, and books abound with the views of Arthur Young and men like him, who combined a knowledge of agriculture with a taste for literary work.

The high prices of the necessaries of life enticed several would-be reformers to air their remedies in public. We find every kind of defect in our national husbandry imagined and every kind of cure suggested. Thus the author of *Causes of the Dearness of Provisions*, commonly supposed to be Tucker, associates the increased cost of living with everything connected with the agricultural market which was distasteful to himself. Engrossing of farms, selling by sample, the failings of millers, forestalling and regrating, etc., are supposed by this writer to be at the root of the evil. Soame Jennings, in defence of the existing economy, sought to prove that corn, though increased in price, was no dearer because money had become cheaper. In *An Enquiry into the Connection between the Present Price of Provisions and the Size of Farms*, we find more logical reasoning. The author, a farmer (so he signs himself), not only refuses to attribute the evil to the usual causes assigned by popular writers, such as engrossing of farms, devices of jobbers and regrators, etc., but points out that an improvement in the manner of living and a greater need for horses had given rise to an increased demand for provisions. He prescribes such sensible remedies as the enclosure, subdivision, and culture of wastes, the utilisation of royal forests for cottages and other public wants, and the complete enfranchisement of the corn-trade from legislative restrictions. He further attempts to demonstrate, by a comparison of home and foreign prices, that the repeal of the Corn Laws would not injure agricultural interests, but would, by equalising prices, merely put an end to rash speculation.

Equally sound advice appeared in 1767, from the pen of a Mr. Forster, Rector of All Saints, Colchester, who wrote *An Enquiry into the Causes of the Present High Prices of Provisions.* Then, too, a Mr. Lamporte advocated the enclosure system in an able pamphlet, entitled *Cursory Remarks on the Importance of Agriculture*, etc., which met with favourable mention in the *Monthly Review* for January, 1785.

There was indeed hardly an economical grievance of the period which did not sooner or later involve a discussion of the enclosure question. In spite of increasing prices and the introduction of mixed husbandry, the system had not become by any means universally popular; and hardly had Lamporte's pamphlet appeared in print, when it was attacked by the retort of a Society of Farmers in 1785.[1] This treatise, full of unpractical economical theories, together with another of a similar nature,[2] called forth a crushing rejoinder[3] from the Rev. John Howlett in 1787; and so the controversy progressed, the enclosure policy being alternately indicted and defended in much the same way as we have already shown that of the public registry of titles to have been.

Now, although old-fashioned husbandmen might air their objections against the new system in this manner, its ultimate progress was insured; for the common field economy, like Monasticism and Feudalism, had had its day. Had, however, the political franchise about a century back been extended to the lower classes of agriculturists as widely as it has been since, the new economy would have never been allowed to exist; and a parliamentary candidate of the Georgian period, who staked his seat on the advocacy of the enclosure system, would have had no chance whatever of being elected. But the Acts of 9 Anne c. 5 and 33 Geo. II. c. 26 had for a time artificially prolonged the political supremacy of the country gentleman.

[1] *A Political Enquiry into the Consequences of Enclosing Waste Land*, etc. Holborn, 1785.

[2] *Cursory Remarks upon Enclosures, by a County Gentleman.*

[3] *Enclosures a Cause of Improved Agriculture, of Plenty and Cheapness of Provisions of Population, and of both Private and National Wealth, being an Examination of Two Pamphlets*, etc. London, 1787.

From 1760, seats in Parliament were sold almost like any other transferable property;[1] and since, by the first of the two Acts just mentioned, every member of the Commons, those of the Universities alone excepted, was required to possess, as a qualification for his seat, a landed estate, above all encumbrances, of £300 per annum, it is evident that what the country squires wished soon became the law of the land.

But if we want to know the real feeling of the country at this period, we have only to read such a statement as the following which is subjoined to the pamphlet already quoted in this chapter.[2]

"We the underwritten, the Freeholders, Copyholders, Leaseholders and others, the Inhabitants of the Parish of in the County of beg leave to set forth,—

"That although the enclosing of bogs and other useless lands in this kingdom may be highly beneficial, yet we apprehend the enclosing woodlands, and sound land fit for pasturage now lying as commons to the various parishes in England, more particularly those which belong to the parish of is highly detrimental for the following reasons—and,

1. "That the breeding and rearing of cattle on commons where no rent is paid for the same, in preference to the rearing them in enclosed pastures, set at a high rent, tends to keep down the price of lean cattle. And we also apprehend, that the price of such stock being now near one hundred per cent. dearer than twenty years ago, is owing chiefly to the late enclosing of commons and waste lands throughout the kingdom, and which has of course raised the price of butchers meat near twopence in a pound more than formerly.

2. "That the woodlands in the said parish, provided they are not grubbed up, being well stocked with thriving young oaks, may, and certainly will, if properly managed, be not only a source of timber for the navy in a future time, but also a constant benefit to the parish by the sale thereof, for the relief of the parish rates.

3. "That provided the said common be enclosed, many hundreds of poor inhabitants in the said parish will be reduced to distress, as they will be deprived of their present benefit of rearing horned cattle, pigs, etc., and furnishing themselves with fuel in the winter, etc., and the consequences will be immediately felt by the parish at large, by the increase of the poors rates, the breaking and carrying away hedges and other petty

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[1] Hallam, *Const. Hist.*, ch. xvi.

[2] *A Political Enquiry into the Consequences of Enclosing Waste Lands*, etc. Anon., Holborn, 1785.

larcenies, that the distresses of the poor will reduce them to; and which is and must always be experienced where the poor have not commons and wood lands to assist them. And in short we cannot see any benefit to the nation in general, nor to any individual will arise by enclosing the said common, except to the landowners, who may thereby be enabled to raise their rents at the expense and detriment of the parish at large.

"And in respect to the inclosing of corn fields which lie in common, we apprehend that any person who has travelled much over England and has made his observations on the subject, must give the preference in general to the crops of corn in common fields to those in inclosures in point of clearness from weeds and quality of grain. And this we apprehend to be owing, in a great measure, to the enclosed farmer having it more in his power to be a sloven than those who hold lands in common fields mixed with their neighbours; and also that hedges and trees are great enemies to the growth of corn.

18*th October*, 1784."

"In consequence of this paper being delivered to the various Freeholders, Copyholders, and other Inhabitants of that parish, previously to the parochial convention held for the purpose of considering upon the propriety of inclosing the waste lands and common fields in the said parish, which was announced in a pompous manner by printed notifications published by a set of people who fancied they might be benefited thereby, the most numerous vestry was assembled, consisting of gentry, farmers, cottagers, and other inhabitants, etc., that ever was known in that parish within the memory of man; everything (notwithstanding the multitude assembled) was conducted in the most peaceable and quiet manner, and after the person who moved for the meeting had delivered his opinions respecting the inclosure, and a little conversation being held upon the subject; the question was put, 'Whether it would be proper to inclose the waste ground of that parish?' There was but one hand held up *for the inclosure*, which was the person who proposed the question.

"Another question being afterwards proposed, 'Whether it be the opinion of the vestry that the waste lands should remain uninclosed?' there was a universal holding up of hands, except by the person who moved for the inclosure, with an almost universal huzza of triumph, frequently repeated."

It was all very well for champions of the commercial interests to point out how the widening of the cultivable surface of British soil would benefit society and lower prices. Farmers did not care in the least for philosophical reasoning, and were strongly opposed to a reduction in prices. The objections raised in the above petition prove how firmly they were con-

vinced that their purses would suffer from the new economy, and nothing but proof positive to the contrary was likely to make them favour its cause. But the reader will see the drawbacks to the enclosure system more clearly if we collate from the pamphlets and reports of the period all we can find on the subject, and arrange it under the four following heads; viz., its anticipated effects (1) on the land itself, (2) on the owners, (3) on the cultivators, and (4) on the labourers. First, then, regarding its probable effects on the soil. The Society of Farmers mentioned above, though weak in theoretical reasoning, was powerful in practical knowledge, and on more than one point was able to further the cause of the common-field. The enclosure agitation had become a craze; even learned experts like John Evelyn and Daniel Defoe had been carried away by it, and thus induced to suggest the extravagant view that *all* the national wastes, including His Majesty's forests and open lands, would be better enclosed and cultivated. Lamporte had adopted this extreme theory, and cited successful precedents in confirmation of his opinion. But to plough up the invaluable sheep feed of the virgin down has long been recognised as little short of an agrarian outrage; and the Society of Farmers certainly scored a point when their able scribe drew an imaginary picture of Salisbury Plain, Newmarket, Odsey Heaths, etc., then excellent sheep pasturage, becoming converted by the plough into wildernesses of shifting sand.

We next come to the landlord's views on the subject, and here it will be well to recall to memory how the law regarded individual rights over such wastes. It is quite useless for us to go behind the Statute of Merton, which was regarded by the legal profession in much the same light as historians regard the Flood. If any traditions lingered from out of this prehistoric period, they were wholly in favour of a seignorial as opposed to a popular monopoly of the ancient Folcland. From the lawyer's point of view, therefore, the Statute of Merton had merely lessened the rights of the tenant *in capite* over the lord's waste in favour of the *subfeudarii*, and though the former might (in common parlance) "improve or enclose"

(*i.e.* in technical language "approve"), against the latter,[1] and also against his neighbours,[2] he would have had in nine cases out of ten to convince a jury of assize that a sufficiency of unenclosed land still remained to satisfy the wants of the other commoners. By statute 29 Geo. II. c. 36, amended by statute 31 Geo. II. c. 41, further facilities of enclosing wastes were afforded, solely however for the purpose of propagating useful timber, and by 13 Geo. III. c. 81 a majority of the commoners might make temporary regulations as to the times of turning on and removing their cattle.

When an enclosure agitation arose in any locality, the usual procedure was for the principal proprietors to call a general meeting of all persons entitled to or interested in a right of common. If a majority of two-thirds, or three-fourths in value were in favour of the division, notices were affixed to the door of the parish church, signifying the intention of the parties to apply by petition to Parliament for an Act to empower and require commissioners and arbitrators to make the division.[3]

Let us take an example. Here is an Act for dividing and allotting certain commonable grounds or waste woodlands in the township of Atherstone. The preamble sets forth that the lord of the manor is seised of these lands, of which it gives the acreage and description. It enumerates a long list of persons (among whom appears the parson) who, as proprietors of ancient messuages and dwelling-houses, or sites of ancient messuages and dwelling-houses, are entitled to various rights of common on these lands, and who profess themselves desirous that they should be divided, allotted, and vested amongst themselves in the way particularised in the Act.

Save that the body of the commoners reserve to themselves rights to make bye-laws and buy some of the trees as shelter for their livestock, the lion's share of the profits, as well as of

[1] 20 Hen. III. c. 4. [2] II. West. 13 Ed. I. c. 46.

[3] *Vide Report to the Board of Agriculture for Middlesex*, 1794. It may be here briefly mentioned that the various county correspondents had been asked by Sir John Sinclair to state their views as to the results of the enclosure system on rents, produce, population, and society, and we shall now draw largely on their replies for information.

the expenditure, falls to the lord of the manor. He is entitled to the timber and the young trees, or their equivalent in money; he has to pay all expenses connected with the Act of Enclosure, and to erect and for ever maintain suitable fences round his own allotment.

But the landed interest, or at any rate the capitalist portion of it, wanted something more complete than the patchwork legislation hitherto in vogue. This was partially attained by the statute of 41 Geo. III. c. 109, though that which most of the correspondents to the Board suggested was a procedure like that initiated by 6 and 7 Will. IV. c. 115, and completed by 8 and 9 Vict. c. 118 and 9 and 10 Vict. c. 70,—statutes all tending to abolish the necessity for separate and private Acts of Parliament.

The first of these Acts was the immediate outcome of the investigations instituted by the Board of Agriculture, and formed the framework of all subsequent legislation on this subject. One of its ends was to close the door once and for all against all pretexts which might subsequently upset an Act of Enclosure. For this purpose section 6 directed all claimants of common rights on pain of forfeiture to present their demands in writing, and section 14 declared that the several shares shall be in full satisfaction of all previous rights.

The commissioners themselves were hedged in by restrictions in order to prevent, as far as possible, any private feelings peculiar to human nature interfering with the proper discharge of their judicial duties. On taking the oath, each of them precluded himself from purchasing lands for five years within the parish where he was to act. Their sole duty was to assign the several allotments to the actual possessors of the tenements in lieu of which the allotments were being made; and they had nothing whatever to do with the question of title. As soon as they conveniently could after the allotment, they had to draw up an award which furnished the quantities, situations, and descriptions of the parcels allotted, and all other regulations. This had to be written on parchment, read and executed by the commissioners at a meeting of the proprietors

convened specially for the purpose, and notice of its execution had to be published the following Sunday on the church door. It was then enrolled either at Westminster or with the clerk of the peace of the county. Immediately after the making of the allotments and execution of the award, a notice had to be posted on the church doors declaring all rights of common extinguished. Lastly, persons neglecting or refusing to accept their allotments within two calendar months from the execution of the award, were to be cut off from all interest in the lands.

The chief drawback to enclosing seems to have been the expense of the process. "The charges of obtaining an Act of Parliament," asserts the Cumberland writer, "and the various additions made thereto by the ingenuity of the practitioners of law, are in some cases three or four times more than all the other expenses put together. Surely this might be avoided by a General Act? The House of Commons has already laid a foundation by the standing orders respecting such Bills. If two-thirds of the proprietors request a division, we see no reason why they should be put to the expense of obtaining an Act of Parliament, because two or three, or possibly only one, ignorant or ill-natured person or persons are absurd enough to oppose it."

In this short paragraph is practically summed up all the difficulties suggested by scores of experts throughout the country. It was no use for the lord of the manor, however powerful he might be, to act single-handed. If the commoners considered (and when did they not consider?) that he had not left them sufficient land,[1] they might undo all his work and break up his fences.[2]

In the large wastes of the West Riding, some exception seems to have been made by 12 Anne c. 4, in virtue of which the freeholders might enclose without a special Act of Parliament, provided a sixth part was set apart for the benefit of poor clergymen; but, as a general rule, all the freeholders

[1] 13 Ed. I. c. 46.

[2] Several cases occurred where parishes enclosed their commons without calling in the aid of legislation.

would have to agree before a Bill was submitted to Parliament, for otherwise the capital of the district would have been all absorbed in defraying the costs of litigation involved in contesting the measure.

When we turn to the proposed enclosure of the open arable fields, we find that lords of manors were not inclined to cede the rights of enfranchisement without what they considered their proper due. The yearly value of the various customs, fines, etc., had to be capitalised, and some proprietors estimated this latter process at forty years' purchase. At Brampton, Lord Carlisle seems to have accepted one-twelfth of the entire common field as his remuneration for enfranchising the allotments. Many other lords were content with one-sixteenth, as in most cases "these dregs of the vassalage" (so one writer terms such commoners) were wholly unable to provide any money "equivalent whatsoever for the conversion of their copyhold property into freehold." It was therefore suggested to the Board by the Cumberland correspondent, "that it would be a humane act of the legislature to relieve these bondagers by law." This proposal, we know now, bore fruit later on; but even already the legislature had offered some facilities in this direction.

That these had not been as yet generally used was partly owing to the reluctance of the landlords evidenced above, partly to that of the copyholders, which brings us to our third heading.

The open arable lands were much more universally disliked by the farmers than the open wastes. "In the commons," writes the Essex correspondent of the Board, "no grasses, or green crops, or turnips, or tares can be sown, and consequently no stock kept (at least in very few instances, and these in small degrees), except by the occupiers of the manor farms, they claiming and exercising everywhere over them, to the exclusion of all others, their rights of sheepwalk, over-running everything, doing thereby much injury to their neighbours (particularly with their dry flocks, which are driven about by a boy all summer long, to shift as they can), and little proportionate good to themselves; the small occupiers being thereby

prevented varying their mode of cropping, and the latter, by the large provision of turnips, etc., required in winter and spring in this country, much injuring themselves in their subsequent crops of barley. The commons then affording little or no sustenance; the smallness, too, of the pieces, consisting frequently of two, three, four, five roods, and so on, preventing in many instances attempts at draining, and their awkward distance and disposition considerably increasing the expense of manure, attended with much loss of time, are very considerable obstacles to improvements."

Here we have a recapitulation in a succinct form of the old grievances pointed out by Fitzherbert and Blith, as well as by ourselves earlier in this chapter. Why then, it will be asked, had not the enclosure system swept all this obsolete old economy away? Our answer is best given in the words of the Cumberland Report already quoted. Its writer points out that the great obstacle to the improvement of the system arose from "a laudable anxiety in the customary tenants to have their little patrimony descend to their children." These "small properties, loaded with fines, heriots, and boon days, joined to the necessary expense of bringing up and educating a numerous family, can only be handed down, from father to son, by the utmost thrift, hard labour, and penurious living; and every little saving being hoarded up for the payment of the *eventful fine*, leaves nothing for the expenses of travelling to see improved modes of culture, and to gain a knowledge of the management and profits of different breeds of stock, and be convinced by ocular proofs that their own situations are capable of producing similar advantages." The writer of the East Riding Report, speaking of the township of Humanby, relates how the soil of the open fields was so exhausted by crops injudiciously repeated that it returned little more corn than was necessary for seed and the support of the numerous families employed in cultivating it. Even the sheep, he says, suffered from such mismanagement, and "poverty was the inmate of every dwelling." Determined, if he could, to introduce a better system, so far as 13 Geo. III. c. 81 would allow, he convened numerous meetings, but found his

neighbours prejudiced in favour of old customs. At last he got them to partially adopt his plans, but not without an express stipulation on their part for one white crop more than he had intended. The open fields were henceforth marked out into six divisions. Turnips were sown on a good fallow, hoed, fed with the sheep of the occupiers, and then barley sown on the stale furrow. Two years' seeds followed, then wheat, and lastly oats or pease. The writer adds that he pleaded in vain for the substitution of a third year's seeds in lieu of the last course. He seems to have had quite enough to contend with in arranging an equitable procedure, so that nobody should complain of unfairness. The seeds were all of one quality, paid for proportionably by each occupier, whose rights of subsequent sheep pasturage were stinted in proportion to the area sown by him. The shepherds were paid on a like system, and were supervised by field reeves, who saw that they folded the various flocks each night on a different holding, and regulated the sowing so that everybody shared equally in the profits of the process.

On the wisdom of converting the open wastes into enclosures the views of agriculturists were divided. Some districts of this description, such as the marshy ground about Exeter, were unanimously admitted capable of improvement if submitted to an economy which would promote drainage; but in the opinion, for example, of the Society of Farmers already alluded to, "stiff clay, with little or no staple of mould, absolute heaths, where no other verdure would grow, and chalky soils, with a thin layer of turf barely sufficient to cover the hard barren rock," were best left alone. It was in vain to point out to such old-fashioned husbandmen as these that the young stock now starving throughout the cold season on commons, would, if kept on turnips in the winter months, and sheltered at night till they attained two years of age, hardly know that they had passed through a couple of winters; that thus rendered less liable to disorders, they would, when matured and butchered, "throw off hides and skins, to say nothing of the tallow, of a far superior quality as well as size, and that at a less expense of dressing"; lastly, that it was more economical

to pay a little increase of rent for the enclosure than meet the indirect charges which landlords demanded for common rights.[1] They retorted that "during the winter none but fools and madmen would neglect to house their livestock somehow or other";[2] that in the early portion of the summer the herbage of the commons was quite as useful, though not so fattening, as that of the meadow land; and that the advantage of stacking the whole of his first grass crops which the commons afforded him fully compensated the farmer for any indirect charge in the lease which commonage rights entailed. What, they asked, did it signify if in a few exceptional parishes the farmers were called upon to pay a trifling charge of fourpence or sixpence per beast every year at branding time? They themselves and their neighbours had unlimited rights of commonage free from all manorial and parochial restrictions as to quality and quantity of livestock, and were only controlled by their own prudence as to the limits of the head of livestock kept by each. The majority of English farmers like themselves entered, they contended, upon their tenancies, or signed their agreements, after they had surveyed each field, estimated its rental value per acre, and compared it with the price demanded, without any reference whatever to the area and quality of commonage available.[3]

Turning once more, however, to the Reports of those more advanced husbandmen who corresponded with the Board of Agriculture, we find the preponderance of opinion weighing the scale in the opposite direction. The condition of the wheat market, and the opening up of fresh communication by navigable canals, whereby farmers could obtain lime, marl, etc., almost at their very doors, had naturally given an impetus to the enclosure system. Thus, while the average number of Enclosure Acts during the thirty-three years of the reign of George II. was only seven per annum, it amounted to forty-seven during the twenty-eight years from 1760 to 1785, and

[1] *Cursory Remarks on the Importance of Agriculture*, etc., 1785.

[2] A practice which we shall later on show to have been anything but universal.

[3] *A Political Inquiry, etc.* Holborn, 1785.

seventy-eight during the ten years from 1794 to 1804. In several of his works[1] Young talks of the vast tracts of waste lands as disgracing many counties in the kingdom, and calls in the strongest terms on the agricultural interest to remove this stigma, estimating that many millions of money might be annually added to the national wealth were such useless ground redeemed and cultivated, and begging the legislature to offer a bounty for the encouragement of reclamation.

Fully corroborative of this view are the Reports to the Board some twenty years later, and from the statistics afforded subsequently by its committee we learn that out of twenty-two million acres of waste in Great Britain there were nearly eight millions in England and Wales only. Wherever extra fertilisers in addition to the manure produced on the holding were obtainable, farmers had set to work to reclaim wastes with avidity, but seem to have counteracted much of the permanent good derived from the changed economy by their greediness. The practice was to fence off the various fields, lime heavily, and plough up the old turf. During the first two or three seasons the productiveness of the soil for all kinds of cereals exceeded the highest expectation, and farmers went on growing white crop after white crop till the land was on the verge of sterility. Thus Lawrence, one of the earlier writers, in his *New System of Agriculture* (published in 1726), holds out, as an inducement to the farmer to enclose, the bait that he will be able to grow seven, eight, or ten crops successively and successfully. Before, therefore, stern experience put an end to this practice, there must have been many instances where the examples of its disastrous results had impeded the process of enclosing.

Thus therefore, even at the end of the century, there were, in such advanced farming districts as Middlesex, many thousand acres of waste land within a few miles of the capital, of little or no value to the individuals interested in them, an absolute nuisance to the public, and yet capable of very great

[1] Compare *Political Essays, sub voc.* "Agriculture," 1789; *Six Months' Tour in the North*, vol. iii. p. 342; and *Observations on the Present State of Waste Lands of Great Britain, passim*, 1773.

improvement. In the north of England vast tracts of common lands prevailed, some of which were too mountainous to be worth the expense of cultivating. In Northumberland, for instance, though there were 450,000 acres returned as not under tillage, there were only 120,000 of these capable of being profitably employed in agriculture.[1] In Cumberland[2] there were 150,000 acres of improvable common, which the writer of the Report terms sorrowfully "extensive tracts of good corn land lying waste."

Some of the sheep-breeding tracts of these counties, however, though not capable of being ploughed, were considered more profitable if enclosed. Thus the Northumbrian correspondent argues as follows: "By separating dry ground from wet, the stockmaster has it in his power to avoid that fatal malady, the rot, and the sheep, freed from the whims of the shepherd and the teasing of his dog, may be expected to feed with greater facility." So also from Cumberland the report deplores the disadvantages of the old economy, points out the prevalence of rot, and declares that the commons are so over-stocked that the sheep "barely exist." But on the more level plains the reports are unanimous in praise, not only of enclosing, but of ploughing the commons.

In Durham the improvable wastes were estimated at 130,000 acres; in Westmoreland the immense commons on the north of Shap and around Crosby, Meaburn, Knoch, Newbiggin, etc., were held to be improvable; in Lancashire there were between 26,000 and 27,000 acres of marsh and fen and 482,000 of moor and common—much of which was craggy, steep, and unsuitable for ploughing, but many thousands of acres of which would have paid for cultivation. In the North Riding of Yorkshire there were 228,435 acres estimated to be capable of some form of cultivation; in the West Riding about one-sixth of the whole area was redeemable waste; and in the East Riding, though there was very little of what could be termed actually waste land, there were a great many commons which were capable of yielding greater returns by means of drainage,

[1] *General View of the Agriculture of Northumberland*, pp. 7 and 51, 1794.
[2] *General View of the Agriculture of Cumberland*, p. 35.

sub-division, etc., than they did as pasturage. The Reports from the Midlands and other parts of England all confirm Young's previous estimate. In every county there was a considerable area of the Folcland still existent, and in many there were open plough-grounds still subject to Lammas Law.

Lastly, we come to the effects on the labouring class of enclosing the wastes. Here indeed that same society of practical villagers mentioned before, foreshadowed a difficulty so formidable that it not only confronted the enclosure commissioners over and over again in the ensuing century, but has defied, even to this day, the best intentions of the legislature to overcome it. This was the absence of any practical method of securing to the evicted commoner an equivalent advantage for his lost rights.

Not, however, even in the home counties had there as yet arisen any misgivings in the public mind that the popular playgrounds would be absorbed into individual holdings. Mill had not yet headed a literary crusade against the legalised violation of what he called "The Peasants' Park," and the unfrequented wastes near London were more the resort of the highwayman than the holiday-maker. No Commons or Public Footpaths Preservation Societies watched with jealous eye the confiscation of village greens hitherto devoted to such games as "nine men's morris," prisoner's base, barley brake, leap-frog, etc. The metropolis and other great cities had too many so-called "lungs" for demagogues to pose as popular heroes by clamouring against the absorption of the open spaces. Nor was the engrossing of farms (a consequence of the enclosure system) found on closer scrutiny to have lessened the rural population. For Young, twenty years before, had compiled a series of tables showing the acreage, cultivation, head of live-stock, and number of people on each class of holding which he had visited; and when we come to examine these statistics, we shall find that the large farm especially tended to promote population, and the bulk of the evidence in the Reports to the Board establishes the same fact. Thus asserts the writer in the East Riding of Yorkshire:[1] "Some are of opinion that

[1] *Reports to the Board of Agriculture in* 1794.

enclosures have been the cause of a decrease of population, but a far greater number maintain contrary opinions." Additional labour, improved air, increase of produce, a greater opportunity of residence, had followed the introduction of the enclosure system. A class of cottagers who maintained a cow and cultivated a patch of potatoes had sprung into existence, and there were ocular proofs of an increase in the inhabitants of the district. "The effect of enclosures on population," writes the Nottinghamshire[1] authority, "is apparent," especially amidst the forest enclosures, "which afford much more employment than in their former state, nor is there any appearance of depopulation in the Clays." The Staffordshire writer,[2] where the heavy soil of the commons encouraged rot, makes this pertinent suggestion. "Enclosures," he says, "can only effect the improvement of stock. Respecting population I have no doubt but the means of employment are increased by enclosures, by the planting and reparation of fences. To prove the superiority of enclosures, let us put the case of a proposal made to throw a well-fenced enclosed country into common fields, and I believe every mind would revolt at the idea."

All this evidence, however, does not controvert the following view of the case from the cottager's standpoint: "Besides the farmers," writes the literary member of the Society of Farmers,[3] so often alluded to in this chapter, "there are other village people, such as the cottager, the mechanic, and inferior shopkeeper, to whom common rights are an incitement to industry. Their children, sent out to yearly service amongst the farmers, manage in time to scrape together £20 or £30; marry young women possessed of an equal sum, obtain a cottage, and purchase cows, calves, sheep, hogs, and poultry. Then, while the husband hires himself out as a day labourer, the wife stops at home and herds the livestock on the common. Out of the former's wages the rent of cottage, orchard, and one, two, or three acres of meadow ground is paid, which, save for the rights of common, would be insufficient of themselves to

[1] *Reports to the Board of Agriculture in* 1794. [2] Id. *Ibid.*
[3] *A Political Inquiry, etc.* Holborn, 1785.

support the small number of beasts and poultry of which his property consists. When the cold of winter sets in, the more prudent of these small tenants board their sheep with farmers (who have more lands than are necessary to keep their own livestock) at the rate of 2*s.* to 2*s.* 6*d.* per score per week; and part of each Sunday is employed by the cottagers in a visit to their sheep, which by such means are as well cared for as the farmer's. The number of each man's cows is apportioned to the size of his haystack, which is intended to supply them with sufficient fodder throughout the season when commons are bare. How then would Mr. Lamporte provide for this class in his proposals to plough up all commons? How would the poor find a substitute for their common of pasturage and timbering?" pertinently asks this champion of vested interests.[1]

No one, we have said, has ever answered that question in a satisfactory manner, though more than a century has lapsed since it was asked. Our statesmen have attempted to cope with the difficulty it suggests by such inadequate equivalents as labourers' allotments and small holdings, the cultivation of which cannot fail to occupy some of the precious working hours to which the employers of rural labour would otherwise lay claim. A man who has done a good day's work for some one else should not be in an effective condition to labour some extra hours daily in his own ploughland. On this account the rights of commonage were invaluable, affording the cottager quite as much, if not more, remuneration for lighter labour, and leaving him, when daylight reappeared on the morrow, fully competent to perform a good day's work for a good day's wage on his master's holding.

Before we conclude this subject of enclosure, let us point out that the direction in which the State encouraged the enclosure system in these early times was unfortunate. By means of the bounty on corn it brought about the conversion of much wild pasturage into wheat-producing soil. In the present condition of the grain markets we have cause to regret bitterly

[1] Id. *Ibid.*

that policy of "tillage by State compulsion," which the Count de Boulainvilliers so admired; and Young, right enough whenever he steered clear of abstract questions, was never more so than when he advocated a system of bounties which, while they encouraged reclamation, would have left the choice of cultivation to the husbandman of the period.

## CHAPTER XI.

### THE HUSBANDRY OF THE PERIOD.

SOMEWHERE about the end of the sixteenth century Lord Bacon lit a fire in his courtyard, and burned a large library of agricultural books, which he had taken considerable pains to collect. His reason for doing this was that no single book of his collection contained any useful information for the farmer. Some fifty years later Sir Richard Weston (in 1651) complained that the great drawback to English agriculture was the ignorance of the farmers. He lamented that there was no really complete work on agriculture, and expressed a wish for some more copious source of information than was to be derived from Tusser's verses, Scot's *Hop Garden*, or Googe's translations. The treatises of the two Platts, Markham, Blith, Butler, etc., were, he said, well enough in their way; but he demanded of the literary world some more ambitious undertaking, such as was contained in the translation from the French of *The Country Farmer*. Turning to the pioneers of agricultural practice, he begged them to be less niggardly in their communication of technical secrets, while to the Government he held up as a pattern the practice of the Romans in appointing State officials to inspect the national agriculture, and punish those who neglected what was considered a public duty. Lastly, he besought our foreign merchants to notice and retail for the benefit of their countrymen anything worth copying in the agricultural economy of other lands. He was jealous of the superior wool of the Spanish sheep, and envious of the fecundity of the Dutch species. He longed to teach our native dairymaids how to make the famous Parmesan cheeses of Italy and

the costly Angelots of France. He maintained that we were negligent in our breeding of cattle, that we knew nothing of the true worth of feeding stuffs and grasses, and that our want of veterinary knowledge added considerably to the death-rate of our livestock.

Does it not strike the reader that in the foregoing brief summary of Weston's requirements we possess certain shadowy shapes of coming agricultural institutions? Have we not in embryo, for example, the modern agricultural journal in those demands of his on literary talent; or, in his request to practical men, some national Society of Husbandry; or, in his recollections of Roman usages, a central Board of Agriculture; or, lastly, in his ideas on agricultural education, the same incentives which prompt the County Councils to send forth into the highways and byways of our English Arcadia the peripatetic lecturer on technical education?

The idea of a periodical publication as a general channel for agricultural information almost immediately bore fruit; for Houghton, in 1681, published a paper for this purpose, and induced such valued authorities as Worledge and Evelyn to occasionally communicate their views to the public, through the medium of his pages. Unfortunately it did not long survive the accession of Queen Anne, and though it was succeeded by other publications of a similar nature, they, being edited anonymously, failed to attract, on the one hand, any valuable literary talent, or, on the other, any public attention. When such emulations of *Houghton's Letters*[1] as the *Museum Rusticam*, the *De Re Rustica*, and the *Foreign Essays* had ceased to exist, Dr. Hunter resuscitated the idea, and published the four volumes of the *Georgical Essays* in his own name. Attracted by his personal influence, valuable information from well-known husbandmen flowed in; but then the

[1] It is not to be supposed that the *Collection for Improvement for Husbandry and Trade* came out on a certain day of the week and again on a certain day of the month. The broadsheets were irregularly periodical, and were disseminated by the carriers throughout the farm homesteads of the eastern counties as soon after Houghton had issued them as possible.

learned writer grew too pre-occupied with other avocations to continue the work, which therefore came to an untimely end. Finally Arthur Young bridged over the short remaining period before the more modern forms of our agricultural press began to put in their first appearance, by instituting, in 1784, his *Annals of Agriculture*.[1]

Admirably, too, did public-spirited husbandmen comply with Weston's wish, that the information known to the few might become the property of the many; with what success it will be our chief effort in the next few chapters to show. The first individual who responded to Weston's call in this respect was Jethro Tull. Now, at the time (1731) when Tull first published his *Horse-hoeing Husbandry*, the prices of cereals were low, the wages of labour comparatively high, and consequently the purely arable farm was not regarded with any great favour by the husbandmen of the day. But he had at first intended his method of cultivation chiefly for corn. It was, of course, utterly unsuited for the old common-field economy, in which every individual was obliged to keep the "turns" of ploughing, fallowing, etc., with the other occupiers. But then this relic of tribal days was moribund; for though, as we have had occasion to show, farmers at first parted with their ancient common rights reluctantly, the improvements in grass seeds, and the quicker profits obtained from the fold and dairy, had begun so to fascinate the minds of advanced agriculturists with the system of mixed ploughing and grazing that numerous instances occurred where individual occupiers, too impatient to wait for the slow and costly machinery of an Enclosure Act, exchanged yardlands with their neighbours, and fenced in their small holdings so as to protect them from the depredations of cattle after Lammas-tide.

Tull, who was one of the first[2] to advocate the introduction of the turnip into the farm, had adapted his new system to its tillage requirements with the greatest possible success. He had also long sung the praises of clover as a good forage crop,

[1] *Annals of Agriculture*, vol. i., Preface. A. Young, 1784.

[2] Young calls him the very first.—*Six Weeks' Tour*, p. 10, Preface. A. Young.

and by his invention of the horse hoe and drill had, without realising the fact, originated the famous Norfolk rotation of cropping. By a strange irony of fate he was destined to ignore the very essence of its existence, the basis of its success, and the cause of its ultimate popularity. The fact, recognised by most agricultural authorities, but strenuously opposed by Tull,[1] that a long-continued cultivation of one crop exhausts soils much faster than a variation of plants, created a general demand for a rotation in cropping. It must be borne in mind that, had Tull admitted that land can be ultimately worn out and rendered barren, he would have been forced to reconsider that pronounced attitude which he had assumed in opposition to manuring. When once he had acknowledged the necessity for dung in his horse-hoeing husbandry, his chief aim—viz., to minimise the expenses of production—would have been well-nigh defeated.

By substituting mechanical labour for manure, Tull's system showed a marked increase in the profits of the farm balance sheet; and advocates of the process delighted to figure out a comparison of the expenditure in the old and new husbandry, whereby they proved that the profits of the former more than doubled those of the latter.[2] On the other hand, when Tull contested the main advantage popularly ascribed to the Norfolk rotation of cropping, he unconsciously cut the ground from under the chief argument in favour of his own system. During the latter half of the century an increase in population, a series of bad harvests, and the French war had combined to send cereals up to famine prices in the home markets. For the first time in English history the importation of wheat exceeded its exportation; and a country which a little while before had been termed by a Frenchman[3] the granary of Europe, had suddenly ceased to be self-supporting. Farmers were therefore getting too good prices for their wheat to care to change it for some less lucrative crop, unless the alternations of clover and turnips could be proved of ultimate benefit to

[1] *Horse-hoeing Husbandry*, ch. xiv. J. Tull.
[2] Id. *Ibid.* *Vide* Preface to the Third Edition, 1751.
[3] M. de Lavergne.

their pockets. No wonder then, as Tull tells us himself, that though he introduced turnips into the field in the reign of King William, the practice did not travel beyond the boundary hedges of his estate until after the peace of Utrecht; and when he talked to his neighbours, all old-fashioned tenant farmers, about the advantages of clover cultivation, they told him they had to pay rents out of *their* profits of production, and that this circumstance left them no margin for indulging in foolish experiments.

It might have been supposed that Tull's neighbours would have jumped at any process which offered them a substitute for the expensive practice of bare-fallowing; and no doubt when he had got out of a single field a dozen or more successful and consecutive wheat harvests, many would have been tempted to give the new process a trial. It must, however, be realised that in Tull's system quite half the field lay barren, even though the whole was employed in the cultivation of wheat; and that he therefore virtually combined in one year's tillage of each close, the bare-fallow and the crop, which the ordinary farmer divided into two distinct processes, and took double the time to effect.

The fundamental basis of Tull's method was to sow his seed at such intervals that the hoes could work all round each plant until it arrived at maturity. In the cultivation of wheat he formed the land into six-feet ridges, on the middle of which he drilled two rows of seed ten inches apart. But not only were there intervals of ten inches between his rows, there were also spaces or partitions (as he called them) between plant and plant in the same row: the former he stirred with the horse hoes, and the latter with the hand hoes. That space between ridge and ridge which was unoccupied was practically his bare-fallow, and only came into cultivation the succeeding year, when the same kind of crop was again planted. Later on, when he had obtained a long series of good cereal crops off the same field, and found apparently no symptoms of exhausted soil, he was not so particular about changing the situation of his rows, but altered his ridges regardless of the lines of stubble which marked the position of the recent crop.

The details of his wheat cultivation are as follows[1]:—The land was ploughed twice and hoed six times. This, as regards expense, was not more than the cost of two ploughings under the old system. For in the latter, butts six feet wide were split up into eight furrows; but in Tull's a six-feet ridge contained only four furrows, the two middle ones being covered, and the outer furrow on each side lying open. A single hoeing consisted of two furrows in each ridge, and was therefore equal to a fourth part of one ordinary ploughing. All the tillage necessary, however, for wheat when it succeeded a hoed crop, was eight hoeings, each of which, taking one with another, required three oxen. During the hours of labour sanctioned by law (*i.e.*, five a.m. to half-past seven p.m., with a two and a half hours' interval for the midday's rest)[2] he calculated that by changing oxen at the time of the second yoking, no less than half a dozen acres could be hoed daily. The cost of this process was one shilling for the ploughman, one shilling for a day's keep of six oxen, sixpence for a boy acting as teamer, and another sixpence for wear and tear of tackle; altogether a total of three shillings for the six acres hoed. With a drill, planting two ridges at once, twenty-four acres could be sown daily; even with that preferred by Tull, which only vented a single row, the expense per acre was not more than sixpence. Weeding, which became a diminishing factor with each successive crop cultivated by the horse hoe, cost on an average sixpence per acre; and one half of this sum was sufficient to cover such minor expenses as those of a boy or woman following the hoe to free the young wheat from clods, and applying brine and lime as a pickle to the seed.

As in sowing, so in reaping, much labour and material were economised. The wheat sown by the old process presented, according to Tull, all the appearance of a "rabble, that thrown out from his machine came up like a disciplined

[1] *Horse-hoeing Husbandry*, ch. xvii. J. Tull.

[2] 22 Hen. VIII. c. 12 was only to remain in force one year, but was renewed by repeated Acts until partly repealed by 21 Jac. I. c. 28. Then 20 Geo. II. c. 19 and 31 Geo. III. c. 37, besides the precedents of the Courts, seem to have regulated the hours of labour.

army." The drilled crop, standing upon about one-sixth of the ground occupied by the same amount when broadcast, greatly reduced the number of necessary strokes from the sickle; and when it came to be set up in shock was far more speedily brought into a condition for carrying and stacking, on account of its almost entire freedom from weeds. Under the old process of wheat cultivation the various tillages, inclusive of the previous season's bare fallowing, were three ploughings, one harrowing, then the sowing, and lastly the weeding.

Tull made out the cost per acre of the new process to be just one-ninth that of the old:—

| *Old System.* | £ | *s.* | *d.* |
|---|---|---|---|
| Three ploughings, harrowing, and sowing ... | 0 | 16 | 0 |
| 2½ bushels of wheat, at 3*s.* | 0 | 7 | 6 |
| Rent of the year's fallow | 0 | 10 | 0 |
| Weeding ... ... ... | 0 | 2 | 0 |
| 30 loads of dung, and carriage... ... ... | 2 | 10 | 0 |
| Reaping ... ... ... | 0 | 4 | 6 |
| | £4 | 10 | 0 |

| *New System.* | £ | *s.* | *d.* |
|---|---|---|---|
| 8 hoeings ... ... ... | 0 | 4 | 0 |
| Drilling ... ... ... | 0 | 0 | 6 |
| Weeding ... ... ... | 0 | 0 | 6 |
| 3 pecks of seed ... ... | 0 | 2 | 3 |
| Uncovering from clods ... | 0 | 0 | 2 |
| Pickling seed ... ... | 0 | 0 | 1 |
| Reaping ... ... ... | 0 | 2 | 6 |
| | £0 | 10 | 0 |

It might have been supposed that the yield from 2½ bushels of seed under the old system would have exceeded that from three pecks under the new; but Tull claimed not only a superiority for his process in this respect, but a greater certainty of a good crop, and a better condition of the soil for further cultivation when it had been harvested.

In his cultivation of the turnip he formed the same six-feet breadths, but drilled only one line of turnip seed. In order to counteract the ravages of the fly he not only sowed two lots of seed at different depths along the same row, but old and new seed, so as to insure a germination so prolonged as to survive any reasonable spell of unpropitious weather.

Tull's work appeared in 1731, and a generation later it was

summed up as follows:[1] "About fifty years ago, a celebrated Englishman, Mr. Tull, made many experiments in a new method of culture, the great design of which was to set aside the use of manures. To this day he has had many followers. With the gentlemen that pursue his system, tillage alone is necessary—the plough is all in all, and nothing is to be dunged or otherwise dressed but meadows or pastures. Were such ideas to become general, it is inconceivable how much mischief they would occasion; for there cannot be more false principles than those whereon they are built."

Thus, so to speak, we have in one breath a just tribute paid to this great agriculturist, and an unflinching exposure of the errors of his practice. "The ingenuity and judgment with which Tull introduced his drill and horse-hoeing husbandry," says another writer of the same period,[2] "was such, that he soon acquired a fame which will be of a duration equal with our language. He indeed laid the foundation of every improvement made in the art since his time. He carried ploughing to so great perfection, that he has in some degree rendered Cato's third direction (stercorare) almost unnecessary. I believe he did not live to have the satisfaction of seeing with what success and spirit his practice was adopted in France by those zealous patriots, Messrs. Duhamel and his associates, one of whom, Mr. Lullier de Chatteau Vieux, was distinguished by his success, and still more so by the judicious inferences he often drew from what he had seen and practised."

But, as the same writer goes on to prove, Tull's system was happily never in danger of becoming universal. Many farmers grudged leaving so large intervals between the ridges of corn as Tull proposed. The ingenuity of a Mr. Duckett, formerly employed in the gardens of Clermont, afterwards appointed by the Duchess of Newcastle to supervise a small farm on the Thames at Richmond, removed this objection. Early in the management of this property it occurred to him

[1] *Farmer's Kalendar*, Preface. By an experienced Farmer (A. Young). 1771.

[2] *Gentleman's Mag.*, 1790, March 23.

that wheat might be sown in equidistant rows in the same manner that many plants are in gardens; with this view he constructed a plough which cut five drills at equal distances, of nine inches asunder. When he had thus drilled the field, he sowed the corn by hand, and found that it fell regularly into the bottoms of the drills, and required only half the quantity of seed generally sown. The grain, being covered with the harrows, grew regularly in rows: then in order to get rid of the weeds he contrived five hoes on a beam; so light that a man could draw them, and by this means kept the young corn clear of weeds.

This principle is of course still in use, where farmers, in order to avoid poaching the heavy land by the horses' feet, sow their corn broadcast in the furrows made by the plough. But on the light land about Richmond some form of the modern seed-drill would have been more advantageous. Worledge, in his *Systema Agriculturæ*, had given a description of a Spanish invention called a rembradore, from which Cook took the idea of his drill plough and hoe. It was preferable in every way to Duckett's rude implement save in one, and that was that every time it got out of order it had to be sent to the implement maker, whereas Duckett's was easily mended by the farmer himself.

This same ingenious husbandman[1] took to the management of the Richmond farm just after its former occupant, disgusted with the light, hungry nature of its soil, had laid it down to grass. Duckett saw that if he could bury the sward by some contrivance or other, so as to render it available for the roots of cereals, he would for some time be able to cultivate wheat with very little expense in manures. Without stopping to point out obvious objections to such an economy, we wish merely to state that this idea gave birth to the trenching and three-coultered ploughs. These inventions earned for him the approbation of the *Society for the Encouragement of Arts, etc.*,

[1] This agriculturist received the unique honour of a special article on his methods communicated to the *Annals of Agriculture* by Geo. III., 1787, vol. vii. p. 65.

and a more solid recognition of his worth in the gift of a piece of plate by the Marquess of Rockingham.

It would seem that, notwithstanding the imperfect means of communication during this early stage of the century, Tull's process was attempted by individual farmers far and wide. Messrs. Bailey and Culley, in their Report to the Board of Agriculture on the farming economy of Northumberland, state that the system of drilling turnips must have been introduced into Dumfriesshire certainly not later than 1745. Save that the ridges were four feet wide, the process of cultivation appears to have been very similar to that practised now-a-days. The ground was ploughed, harrowed, pulverised, and ridged. Manure was then spread in the furrows, to cover which the plough had to go twice about. Before drilling, the harrows were passed over the ridges. As soon as the young plants were sufficiently advanced they were singled, and the harrows kept going up and down the ridges to prevent the growth of weeds throughout the summer. Within ten years the same process was practised by Howard of Corby in Cumberland, Pringle at Coldstream, and Dawson of Frogden Farm near Kelso. While, however, Howard got his method from Dumfries, Pringle obtained his from Tull's book; and Dawson his by residing specially, for the purpose of observation, in those English districts where the best cultivation was pursued. Here, then, were three fresh centres whence it might have been expected that the new practice would have radiated through the adjacent farms. Howard, however, was a squire; Pringle an army-surgeon; and only Dawson a professional farmer. Though all were equally successful with their venture, no ordinary farmer, save in Dawson's district, could be got to follow suit. Even in his, wiseacres shook their heads, while sceptics ridiculed. But in the other two cases the innovation was generally regarded as merely on a par with other *amateur practices*. It is doubtful if turnip-drilling would have ever been universal, had not some traveller brought back from Roxburghshire a report of Dawson's success, which for the last dozen years any one might have seen with his own eyes by looking over Pringle's hedge.

Thus, what Tull had originated others carried forward and perfected; and when we condemn him for trying to drive manure out of field culture, we must not forget that he largely contributed towards the introduction of the turnip into it.

Young,[1] the writer who summed up Tull's services in the passage first quoted, has a happy knack of enforcing his views of agriculture on his brethren of the plough by the irresistible process of appealing to their pockets. Thus, when he wished to demonstrate the merits of the four-course system over that generally practised, he put both to the severe test of figures; and while he thus proved the superiority of the former, he at the same time pointed out the advantages of keeping accounts. He asked his readers to strike a happy mean between the complicated methods of the merchant and the slovenly practice of the waste book ordinarily used by the farmer. What the husbandman required to know was the profit and loss on each branch of his industry. Young seems from his description to have had in his mind's eye a combined cash-book and ledger. Whether the division of the latter's headings according to fields is preferable to the ordinary course pursued at the present day is a moot question; but his more immediate purpose was to get the farmer to see for himself that the profits derivable from a system of cropping[2] consisting of turnips, barley, clover, and wheat, were considerably more than those from a succession of fallow, wheat, barley, and oats. "The farmer finds," he says, "that a ten-acred close thrown into the first system has paid him, at the end of eight years, £126 18*s.* 4*d.*, and that other ten acres thrown into the second system has paid him in that time no more than £68 16*s.* 2*d.*" Earlier in these pages, Young has been cited as the champion of large farming. It is now interesting to notice that he was equally alive to the necessity of smaller holdings as starting-

[1] *Farmer's Kalendar*, Preface. By an experienced Farmer (A. Young). 1771.

[2] This, of course, is the four-course system. I am not convinced that it was by any means general in Young's earlier days. There was a rotation, but more likely a six or five course. The latter we shall shortly describe as practised on the large farms of the Holkham estate.

points for young husbandmen possessed of a scanty patrimony. "Peculiar to husbandry," says this author of the *Farmer's Kalendar*, "is the ability of being able to employ small sums of money. What trade can be set up without introduction or partnership in which a man can employ five hundred pounds? With this amount a young farmer could settle down on eighty or one hundred acres of good land, and expect to realise 30 to 40 per cent. for his money. Even a smaller quantity of land could be profitably managed and yet a team kept." Young's fundamental principle was, "that there is more profit in a masterly cultivation of a few acres than in the slovenly conduct of many." Near a town, where produce could be removed and sold, and the return journey utilised in the carriage of manures, such paying crops as lucerne, cabbages, carrots, and potatoes, could be cultivated with the greatest possible success. As in the case cited above, so now in his recommendation of market gardening, Young bases his argument on figures, and shows the farmer, by means of a balance-sheet, how to work a small holding in the most profitable way.

Bearing on this question respecting the returns derivable from various crops, we have about this period, in a work on Practical Husbandry,[1] from the pen of the Rev. John Trussler, of Cobham, a few additional statistics. Barley, he maintained, yielded a greater profit than any other crop; its produce, estimated at 4 quarters per acre, returning a surplus of £3 3*s.* 6*d.* over the outlay of cultivation; wheat at a yield of 2½ quarters per acre returning only £2 10*s.* profit; oats at a yield of 4 quarters, £1 19*s.* 10*d.*; buckwheat with the same yield, £2 19*s.* 1*d.*; beans with that of 3½ quarters, £1 13*s.* 6*d.*; peas with that of 3 quarters, £1 8*s.*; and hay, £1 9*s.* 6*d.* A ton of turnips was worth 30*s.*; an acre of clover, 35*s.* From such details the author reckoned that a farm of 150 acres, if properly cultivated, should return an annual profit of £379.

The *Farmer's Kalendar* is in many respects a description of the Norfolk husbandry of the present day. The account of operations in the month of January introduces us to the sheep-

[1] *Practical Husbandry, or the Art of Farming with a Certainty of Gain.* Rev. J. Trussler, LL.D., 1780.

fold on the turnips. "On very dry lands," says Young, "many farmers, for the sake of manuring for barley, will eat the crop on the land, herdling off a certain quantity for the flock; and as fast as they eat them pretty clean, remove the hurdles, farther"; but this method, he says, should only be practised "on lands that are perfectly and absolutely dry, otherwise the sheep poach it" (*sic*). He might have added that the chief secret of success for the ensuing barley crop was for the plough to follow up daily behind the fold, so as to cover the dung before its chief fertilising constituents become evaporated. As soon as the turnip land was cleared, it was got into a fine tilth by means of the plough and harrow, and six bushels per acre of seed harrowed in, either in March or April. On heavy land barley succeeded a summer fallow, the land being laid up in three-feet ridges well water-furrowed for the winter, dung carted on during frosts and left in heaps till sowing time; the main object of all of which was to reduce the treading of the draught cattle at the spring tillage to a minimum, and thus prevent the ground from becoming poached.

Clover invariably followed the barley crop. Twenty pounds of it per acre were either harrowed in with or upon the barley seed, or were sown before the roller after the barley was up. The latter process (still in vogue) prevented any deterioration of the grain crop, owing to an over-luxuriant growth of the small seeds during a damp time. Young, however, would have obviated this danger by treating, when the season turned out wet, the combined crops as forage, and mowing them for hay just after the barley came into ear. Such a suggestion tends either to weaken our faith in Trussler's high estimate of the profits of this crop, or to prove that the value of good malting barley was considerably lower, or that of hay considerably higher, than at the present date. A field, then as now, was often kept under clover for more than one year. This practice was supposed to answer the same purposes as a bare-fallow, and was considered rightly to be the best preparation for wheat or oats. Two bushels of "ray grass" were often added to twelve pounds of the clover seed as a good mixture for light soils. Such a crop was said to be able to afford a "fine bite for

sheep and lambs" quite a month earlier than could clover alone.

Provided there was a certain amount of rain, September was considered the best month for sowing wheat; the first fortnight for getting it in on the summer fallows; the last fortnight on the "clover lays." On heavy lands a bearded variety, termed "great" or "clog" wheat, and "rivets," were preferred; and for obtaining the best flour, white or red Kentish wheat was used. Steeping in brine or other pickles was less in fashion than in Tull's days; the idea that any of these preparations fructified the seed being exploded, though it was still recognised that they preserved the grain from being eaten by worms and grubs, or destroyed by smut and other diseases. Merely washing it in pure water enabled the farmer to discover the light chaffy corns; so that by skimming with a quick hand all seed that did not sink directly to the bottom, he made sure of sowing none but the soundest wheat. On wet soils three-feet ridges were preferred, so that every furrow acted as an open drain; but on drier soils, such as those freed from the surface-water by underground drains, the flat process of cultivation was found to answer better. It was generally recognised that two bushels per acre was a fair proportion to sow; but some farmers still adhered to the practice, initiated by Tull, of sowing a less amount. Water-furrowing was largely practised, the spade being introduced to deepen and perfect the results obtained by the plough. Under the four-course rotation wheat succeeded clover, and the best farmers used the trench-plough in order to remove a thin slice four inches thick before a second plough deepened the same furrow by some three inches. In this way the sod was buried, and the surface had a layer of mould which could be harrowed to the moderate degree of fineness suitable for wheat culture. This crop often, however, succeeded beans, in which case, more than one tillage being required, it could not be sown much before November.

As soon as the wheat had been harvested, the land was ready for ploughing as a first preparation for turnip culture. It received "the second earth" in March, and another stirring

in April. Notwithstanding these processes, it was probably yielding in May a thick crop of weeds, which on a further ploughing would be covered in and destroyed. An occasional harrowing up to the end of the first week in June produced that fine tilth without which the turnip cannot luxuriate. The manure was then carted straight from the yard and ploughed under before any loss of its virtues was occasioned by the rays of the midsummer sun. A quart of the great round variety of turnip seed was sown to the acre, this being sufficient to cover the losses sustained by the ravages of the fly, as well as failures in germination during a droughty summer. Young does not tell us whether his turnips were planted on the ridge or flat, or if the double-breast plough was used in covering the manure and seed; but, in the absence of any such information, we may conclude that he had in his mind a later modification of Tull's horse-hoeing system applicable to turnip culture on the flat.

The chief source of profit from the Norfolk husbandry no doubt was and is the sheep. Few authors before Young had afforded their countrymen any information on the management of the flock; but we must not omit to mention an important treatise written by William Ellis, a Hertfordshire farmer, about 1750. He appears to have known quite as much as, if not more than, Young about the management of the fold, though his neighbours did not approve of his practice. He was greatly in favour of consuming turnips on the ground by sheep, especially on light land; and he was quite aware that, in order to cure rot, the flock must be removed to drier herbage and allowed salt. Perhaps the best advice to the farmer in the whole 383 pages is where he recommends a lame shepherd and a lazy dog as the only suitable attendants of the flock.[1]

Young was an advocate of folding throughout the winter. He does not, however, seem to have recognised that the flock is never so healthy as when on arable land. "On those farms," he says, "which have a perfectly dry gravelly pasture or two,

[1] *A Complete System of Experienced Improvements made on Sheep, Grass Lambs, and House Lambs, etc., etc.* Will. Ellis, *circa* 1750.

it is highly advisable to fold all winter on such dry grass land. *It must not be attempted on arable land*, nor on moist grass, but on dry gravelly pastures the safety to sheep is undoubted, and the benefit to the grass prodigious. But there is another method of gaining all the benefits of folding quite through the winter, and on all soils; this is to confine them at night in a sheep yard, well and regularly littered with straw, stubble, or fern; by which means you keep your flock quite warm and healthy in bad seasons, and at the same time raise a surprising quantity of dung; so great a quantity, if you have plenty of litter, that the profit will be better than folding on the land. And a great improvement in this method would be the giving the sheep all their food (except their pasture) in such yard; viz., hay and turnips; for which purpose they should be brought up not only at night, but also to be baited about noon; but if their pasture be at a distance, they should then come to the yard earlier in the evening and go out the later in the morning, instead of baiting at noon. This is a practice which cannot be too much recommended, for so warm a lodging is a great matter to young lambs, and will tend much to forwarding their growth; the sheep will also be kept in good health, and what is a point of vast consequence to all farms, the quantity of dung raised will be very great. If this method is pursued through the months of December, January, February, March, and April, with plenty of litter 100 sheep will make a dunghill of at least 60 loads of excellent stuff, which when rotten will manure two acres of land amply; whereas 100 sheep folded (supposing the grass dry enough) will not in that time equally manure one acre."

On another page Young suggests the separation of the fattening from the lean sheep, observing that many sheep, particularly wethers, when fattened on turnips, become so dainty that they waste half the turnips, unless a second lot of lean sheep follows after them to eat up their leavings.

There is much in this description of management to which the modern shepherd would take exception. Provided the soil be moderately light, the whole flock would be healthier were it kept in two folds (the ewes in one and the rest of the sheep

in the other) on the turnip land. The carriage of turnips to and manure from the sheep-yard would be avoided, and the coming barley ground would be mechanically improved by the pressure of the sheep's feet in the confined space of a fold. When the lambs begin to arrive, a warm yard, still on the turnip land, would be far healthier than the unsanitary arrangement of a permanent yard at the homestead. The folding of the sheep on old pasture would encourage foot-rot; and it is very doubtful if young sheep should ever be allowed on grass at all, save that of the sheep-walk or young clover root.

It must, however, be borne in mind that up to Young's time it had been more customary to "cot" the flock than to stall the herd. This time-honoured practice may have created a hereditary want amidst sheep for some kind of artificial warmth at nights, such as the fold. Young, however, has always an eye on his favourite wheat cultivation, and is here looking after the good management of its manure quite as much as that of the sheep.

In stormy periods our author recommended hay, and adds: "It is an excellent method to allow them (sheep) in their racks a small quantity of hay daily while on turnips, let the weather be good or bad; *but it is not absolutely necessary.*" To this qualifying clause few Norfolk farmers of the present day would care to subscribe. They have learned by bitter experience in the lambing-yard the bad effects of keeping their ewe flock entirely on such cold and watery food as the turnip. Better by far had the writer urged as a general practice the few exceptional instances which he cites of farmers who supplemented the winter's bite of hay with oats and bran, disposed in troughs amongst the sheep folded on the turnip ground.

The great difficulty in Young's day seems to have been for the shepherd to find suitable food during the month of April and early days in May. "A turnip," he says, "should never be seen on the ground after March." It was bad husbandry, he declared, to keep sheep far on into the spring on turnips, for it damaged the prospects of the forthcoming barley crop, both in robbing the land of what might contribute to its

support and in preventing its being sown in proper time. "Nor is the food of great consequence, for you must have many acres of turnip tops to keep any stock of sheep; and, as to the roots, they grow so sticky and hard after the tops are all advanced that their value is much declined." It would seem, then, that the eighteenth-century flock-master's only resources in late spring were to use up some of his rye as sheep feed (for which it was ill adapted), or turn the flock on to the young wheat, or forestall the young spring shoots on the permanent pasture. Young points out that when the hay stock and turnips thus fail, the farmers should have a cabbage crop upon which to fall back. This juicy plant, supplemented by an early bite at the young rye grass and clover, would not only finish off the fat wethers for the butcher, but increase the flow of ewes' milk, and help to fatten the forward lambs.

It would therefore seem that in Young's time clover as a field crop had not been universally adopted, and that the process of "hogging," or storing a portion of the turnip crop in earth, beyond the mischievous influence of frosts, was unknown. Before the 12th of May, the general date for turning the live stock on to the pastures, there could be very little spring shoots, even from the earliest clover roots, available as sheep feed, and 100 sheep would soon demolish many acres of cabbages, so that it is not surprising to find Young an advocate of another crop which has since his day fallen into disuse, but which must have been of considerable value to a farmer thus pinched for sheep feed. "Another crop for feeding sheep," he says, "which is of particular merit, is burnet; an acre of it managed properly will at this season yield three times the food of an acre of clover and ray grass. It should be five or six inches high in November, and left so through the winter. Burnet has the singular quality of maintaining its green leaves, to the full growth, quite through the severest winter, so that, under deep snows, you find an amazing luxuriance of vegetation. From November to February the crop will gain two or three inches in growth, and then be ready for sheep. It will be better in March, and if kept, ready in April not only for sheep, but for horses, cows, or any other stock. This is a product which no

clover or ray grass in the world will equal, and it is the peculiar use of burnet to which it should ever be applied."

It was sown in April, a bushel to the acre, with either barley, oats, or buckwheat, and then covered with three harrowings. It was not like sainfoin, which was said to prefer the poorest soils; but it was supposed to be capable of withstanding the severest frosts, and if left a good height in the autumn never failed to fulfil its purpose, viz., that of providing plenty of sheep feed in March and April. It was mown for seed in July, or for a second crop of hay in August, and then left free from disturbance till the ensuing March. The writer adds that it was a common error for cultivators of burnet to allow their cattle to graze it down in November, whereby the chief end for which it was sown was defeated.[1]

Burnet was said to grow naturally in several districts on the borders of Wales, where the wool of the sheep was peculiarly fine and their mutton well relished. It was supposed to afford plenty of milk when cows or ewes were fed upon it.

A general complaint against burnet was, however, that it did not produce a sufficiently plentiful crop when sown broadcast, and that therefore grass and weeds came up with it. But its advocates met this objection by pointing out that all perennial plants which have tap roots should be raised in nurseries and transplanted in rows. During the first two years it had to be kept clear of grass and weeds; afterwards it became so bushy and strong as to be able to take care of itself. Rocque seems to have first called attention to it, and next the Society for the Encouragement of Arts, etc., offered a premium for its most successful culture. One of the candidates reported that many of his sheep in Lincolnshire were ailing during the autumn, and that he put the worst on to burnet up to Christmas with such beneficial results that they entirely recovered their health and became as fat as the rest of his flock. Another individual planted a spot within his park and hurdled it in. The sheep were observed to lie down upon it

[1] I have asked Norfolk farmers why they have given up burnet, and they tell me that, contrary to the views of Young, it is less hardy than either clover or lucerne.

much more than was usual with them, and his shepherd begged him to change the diet. He persevered, however, and eventually called in a butcher, who found them fatter than the rest of the flock which had been fed at large in the park.[1] Mr. John Searancke obtained the Society's gold medal, in 1766, for cultivating thirty-seven acres with this crop; but the result of the experiment does not seem to have been reported.[2]

Sainfoin had, in 1770, also come into greater use, sparingly in the east of England, more widely in the west. It was sown with Tull's drill plough, and had been largely experimented upon by Sir Digby Legard in Yorkshire.[3]

Lucerne was being extensively cultivated by gentlemen, though the ordinary farmer still fought shy of it. It was grown either by transplantation from the nursery, by drilling, or by sowing broadcast.[4]

Another instance where a public-spirited husbandman about this period had conferred a most signal obligation on his country by thus drawing attention to useful sheep feed was that of Mr. Reynolds, of Adisham, in Kent. He obtained some turnip seed from Holland, sowed it in the field, and soon distinguished a particular plant of a deeper green colour growing up among the rest. He preserved it until it ripened its seed, and again sowed a patch which this time yielded sufficient to test its qualities as a winter food. Finding it quicker in growth, and infinitely superior in frost-resisting qualities to the ordinary turnip, he, the following year, raised more plants by means of the seed-bed, whence he transplanted them into the field, and was so satisfied with his results that he forwarded a sample to the Society for the Encouragement of Arts, etc. The botanical members, at a loss for its true appellation, called it the turnip-rooted cabbage, though its leaves do not round in after the manner which distinguishes cabbage from kale. It was found to be just that very species of plant which would afford sheep a late bite in spring, and Mr. Reynolds fully

[1] *Gentleman's Magazine*, Jan. 10, 1790.
[2] Young's *Political Essays*, Essay iii. p. 144.
[3] Id. *Ibid.*, p. 140.
[4] Id. *Ibid.*, p. 141.

earned the fifty-guinea bowl with which the Society desired to honour the introducer of the now famous swede turnip.[1]

For the three articles of profit, viz., lambs, wool, and folding, stock-ewes about two years old were bought in September, and for fattening on turnips and cabbages wethers of the same age were bought in October, by which time the farmer was enabled to gauge the feeding capabilities of his green crops. If there was a prospect of a superabundant harvest, he would set about purchasing some Scotch cattle for winter feeding, in addition to the fatting oxen taken up about the middle of the autumn from the summer's grass. All these were fed on turnips, cabbages, or carrots, either in stalls under cover, or loose in the straw-yard. Very little hay seems to have been given them, and the use of cereals and oil-cake in supplying the nitrogenous wants of animal life had not yet been recognised.[2]

Most farmers by this time had included the potato in their list of field crops. It was generally sown in rows on the flat, on ground that would have otherwise come in for turnip culture. A heavy dressing of farmyard manure was ploughed in, and the ground levelled by the harrow. A man holding a triangular dibble in his hands, which had three points and a place for him to set his foot, struck it into the earth, by means of which three holes were formed. Into these an attendant boy dropped the seed potatoes, and one or two harrowings completed the process. Another method was to lay the potatoes along the furrow after the plough; but, strange to relate, though less expensive, it was not recommended, partly because the seed was not deep enough, and partly because fifteen to twenty bushels were thought requisite for each acre's setting.[3]

Grass land was preferred by many farmers for potato culture, and no doubt large crops could be raised on what was virtually, as far as regards potatoes, virgin soil. Headlands and

[1] *Gentleman's Magazine*, March 12, 1790.

[2] The more detailed description of the economy practised amongst the farmers' live-stock follows in the next chapter.

[3] *Farmer's Kalendar.* A. Young.

borders of fields were also utilised; and wherever the soil from ditches and ponds had been allowed to accumulate, a good farmer would form a lazy-bed, and dibble in a few tubers, thus supplying the wants of his kitchen. It was best for potatoes planted in rows to be frequently horse-hoed; the common method of ploughing backwards or forwards every time not being suitable, on account of the share cutting the roots and destroying runners capable of producing fruit. For this same reason the third horse-hoeing, which would occur when the plants were in full growth, was performed with a cultivator. There were many kinds of this implement, but they were all similar in their effect of cutting and loosening the earth without turning it over or forming any ridge. Some of them worked with many little triangular shares, some with single flat ones, and others only with coulters. A double mould-board plough followed the cultivator a fortnight later, which banked up the earth against the ridges and assisted further growth. In October the crop was harvested by means of repeated ploughings and harrowings, whereby not one potato in a thousand escaped being uncovered. They were then handpicked, collected into baskets, and stored out of the way of frosts until required for the market or table.

We need not, however, linger longer over the minor features of the Norfolk system. All that we are told about the cultivation of such supplementary crops as the carrot, lucerne, etc., is very similar to what we find in the text-books of modern agricultural science. We may then take it for granted that the East Anglian subjects of George III. were pursuing much the same course of husbandry as that in use among the Norfolk and Suffolk farmers who render their allegiance to her present Majesty. Arthur Young, in another work,[1] informs us that "half the county of Norfolk within the memory of man yielded nothing but sheep feed; whereas those very tracts of land are now covered with as fine barley and rye as any in the world, and great quantities of wheat besides. I have often in that country seen fields of wheat of five quarters per acre, and six quarters an acre of barley are common; all these light lands

[1] *Farmer's Letters.* A. Young.

in wet seasons yield prodigious crops. A prospect far different from flocks of sheep wandering over the sluggard walks, followed each by its own shepherd with a boy and a couple of dogs! Think of the wealth such a cultivation as I have hinted at pours into the kingdom! Think of the employment given to the best hands a kingdom boasts! Think of this improvement; and then behold in the same country as many sheep as ever!"

In his *Six Weeks' Tour*, Young,[1] in describing the estates of the Earl of Leicester in the same county, speaks as follows: "All the country from Holkham to Houghton was a wild sheep walk before the spirit of improvement seized the inhabitants, and this glorious spirit has wrought amazing effects; for instead of boundless wilds and uncultivated wastes, inhabited by scarce anything but sheep, the country is all cut into inclosures, cultivated in a most husbandlike manner, richly manured, well peopled, and yielding an hundred times the produce that it did in its former state. What has wrought these vast improvements is the marling; for under the whole country runs veins of a very rich soapy kind, which they dig up and spread upon the old sheep walks, and then by means of inclosing they throw their farms into a regular course of crops, and gain immensely by the improvement."

Young goes on to describe the farms on this famous estate as all large and low-rented. The tenants, encouraged by long leases and fixity of tenure, spent much money in improving their holdings, so that their real rental value soon became greatly in excess of what they actually paid their landlord. Fortunes were constantly made, and the occupiers of farms paying from £300 to £900 a year in rent, at an average of from 2*s.* 6*d.* to 6*s.* per acre, bid fair in time to become the possessors of the whole county. It was not an unusual practice to dress each acre of the clover leys once in eighteen or twenty

[1] *Six Weeks' Tour through the Southern Counties of England and Wales*, 2nd ed., 1771. A. Young. Exactly the same paragraph appears in Defoe's *Tour through Britain*, p. 75, 7th ed., and is somewhat too literally paraphrased in a work entitled *A Description of England and Wales*, vol. vi. p. 238. London, 1769.

years with 100 loads of marl, which enabled it to yield throughout this period on an average four quarters of wheat or five of soft corn. They dunged or folded for all their winter cereals, reckoning two nights' folds equal to a dunging of twelve loads to the acre. Some of the farms were between two and three thousand acres, most of them over one thousand, the cultivation of which would be as follows:—

| | | |
|---|---|---|
| 100 | acres | of winter corn. |
| 250 | „ | barley and oats. |
| 50 | „ | pease. |
| 200 | „ | turnips. |
| 400 | „ | grasses. |
| 100 | „ | sheep-walk. |
| 1,100 | | |

Such holdings carried twenty cows and nine hundred sheep, and required for purposes of cultivation six servants, six labourers, thirty horses, and five ploughs. During harvest time some forty people were employed in the field. After a good turnip season the farmers used up the surplus crop in fattening Scotch cattle by means of winter stall feeding. When the effects of the marl began to lessen, they bought oil cakes from Holland,[1] and manured their winter corn crops at a cost of fifteen shillings per acre. Some of these men cleared over £1,000 per annum, after deducting all expenses; and one, a certain Mr. Mallett, had purchased with his savings estates in the county returning an income of £1,700 per annum. This same individual on a so-called "corn farm" had during the winter of 1768 no less than two hundred and eighty steers fattening on turnips and artificial grass hay.

And this is the county famous for its resistance under Ket to the Enclosure System—the county where nature in the form of cold eastern blasts and sterile sand would seem to have offered the least encouragement of any to the husbandman—the county physically incapacitated from the advantage of both home and foreign markets. For much of its agricul-

[1] Still practised in turnip culture.

tural success Norfolk is no doubt indebted to the writings of Tusser and Tull, and to the ocular proofs of profitable husbandry afforded by the practice of Turnip Townshend. The Norfolk soil may be at the present day considerably less favourable for clover culture, and the Norfolk farmer less endowed with the capital necessary for marling on so large a scale, but otherwise the reputation of this district as the leading English county in agricultural matters is not as yet disputed, at any rate on this side of the Cheviots.

On the mixed farm, suitable for cattle as well as sheep and generally consisting of heavier land, much attention was bestowed on permanent pasture. The high ground was never mown for fear of impoverishing the herbage, but the low meadows were supposed to be refined by the hay crop.[1] Many farmers, however, objected to mowing the same turf land year after year, judging (rightly we consider) that the most effective economy was one which allowed a field to be grazed and mown alternately.[2] The custom of "leying" cattle was known and practised. Horses ran at grass for 1*s.* 6*d.* to 2*s.* 6*d.* per week, and colts at 1*s.*; oxen and cows, according to size, from 6*d.* to 1*s.*; young store cattle were wintered at 2*s.* (including the addition of hay and roots in bad weather), and summered at 1*s.*; sheep were charged 2*s.* 6*d.* to 3*s.* a score per week, though on common pasturage the price was only 1*s.* a head per year.[3]

In the home counties, and especially around London, the practice of dairy farming a hundred and fifty years ago had been brought almost to the perfection it has attained at the present day. The greatest care was bestowed by the cow-keepers on their meadows and pastures. Kalm, in 1748, noticed, even as early as the first of May, a grass growth so thick and luxuriant that it was a foot and more in height. By the middle of this same month he describes it as long as that in the best Swedish meadows at the close of July. The

[1] *The Country Gentleman's Vade Mecum.* Giles Jacob, 1717.

[2] *Practical Husbandry, or the Art of Farming*, etc. Rev. John Trussler, LL.D., 1780.

[3] *The Country Gentleman's Vade Mecum.* G. Jacob, 1717.

pastures were hired out to butchers and brewers, and brought to their owners all the large profits usually obtained from such "accommodation land."[1] He learned that the secret of their success was the practice of manuring each enclosure heavily with well-rotted town manure every autumn, and moss-harrowing it each spring with sloe twigs attached to handles and drawn by horses. The fields were surrounded with six-foot banks composed of earth eight feet broad at the base and tapering to two feet at the summit. The grasses consisted principally of *alopecurus culmo erecto* and *bromus panicula erecta coarctata*, and grew to a height of 2½ feet.[2] The hay was reaped with the scythe at the end of May; allowed to lie till partly dry in the swathe; then raked into rows with iron forks fitted into wooden handles, and cast together with pitchforks into cocks eight feet high. When made, it was loaded into large wagons;[3] carried home and stacked, not in wooden lathes as in Sweden, but in the open, the ricks being formed in precisely the same fashion as they are now-a-days. The labour was performed entirely by men, principally Irish, who came over to England, and were hired by the farmers at this abnormally busy period. The harvest labour in Kent was monopolised by the Welsh, who migrated in families early in the summer, and found employment for all hands, both male and female, in the gathering in of hay, grain, and hops.[4]

From Kalm's description of market gardening, it would almost seem as if our modern practice had even retrograded since his days. The fields rented by market gardeners were shaped into beds, and constructed so as to slightly slope towards the midday sun. They were edged with thin planks, most of them covered with movable glass frames, and sheltered in periods of frost and snow with Russian matting and straw four inches thick. All kinds of kitchen produce were grown, and such delicate vegetables as cauliflowers and asparagus were forced forward as spring delicacies by means of bell glasses. Besides all these precautions against the weather, it was not unusual to find reed fences erected at each bed to keep off the

[1] Kalm's *England*, 1748, p. 28. Translation of Joseph Lucas, 1892.
[2] Id. *Ibid.*, p. 49. [3] Id. *Ibid.*, p. 80. [4] Id. *Ibid.*, p. 83.

north wind. Every market gardener was, as a rule, a specialist; one devoting his attention to the sowing of vegetable seeds destined to produce nurslings for his fellows; another propagating only beans, peas, and spinach; a third confining his attention to seakale; a fourth to the cultivation of young shrubs; a fifth to fruit trees; a sixth to flowers for the London pleasure gardens, and so on.[1]

In fact, the transition stage between the farming of the past and that of the future is most accentuated at this period in the home counties; for, interspersed amidst all this advanced husbandry, Kalm frequently came across the economy of the common field. There were large open tracts around Ivinghoe, for example, without fence or barrier, where he found neither turnip, pea, nor artificial grass crop; and, on inquiring the reason, was told, by some, that hedges would not grow quickly in such a soil; by others, that since all the holdings were intermixed, the unanimous consent of the community to enclose was necessary; that while some wished to go forward, others wanted to go back; and that a special Act of Parliament was necessary before any improvement could be made. In such spots he found the farmers, in the absence of artificial fodder crops, unable to fatten livestock, and compelled to spend extra money in keeping their produce free from cattle trespass. In fact, wherever the horn of the communal herdsman was heard in the early morning calling the beasts to their pasturage in the outfield, he found the farming no further advanced than it had been in feudal days.[2]

[1] Id. *Ibid.*, *passim*.

[2] Id. *Ibid.*, pp. 265, 281.

## CHAPTER XII.

### THE FARM LIVESTOCK OF THE PERIOD.

At the period now reached farmers had become alive to the advantages derived from a thorough knowledge of the plants most suitable for cattle feeding. The Swedish naturalists had performed numerous valuable experiments with a view to discover what plants were eaten or rejected by the five most common and most valuable kinds of domestic animals; viz., oxen, sheep, goats, horses, and swine.[1]

Instinct had not been found an infallible guide on this head. The author of *Essays relating to Agriculture*[2] instances cases where an ox had refused to eat the turnip; where sheep, accustomed to browse on whins, preferred them to more nourishing foods; and where animals who had fed all their lives in the open fields frequently devoured pernicious plants when turned into woodlands. Some crops, such as the culmiferous species, were more profitable for animal food as hay than when cut green; others, like great-clover and lucerne, were, on the contrary, better adapted to afford nourishment when cut and used in the green state than when pastured upon or stored for winter use. Confining his attention more especially to the varieties of grass-seed used in meadows and pasture, this author points out that rye-grass is one of those fodder plants which possesses sufficient vitality to throw up young green shoots during the milder intervals of an English winter. Sheep's fescue possesses this quality to such an unusual degree as to have attracted his attention. During the winter of 1773

[1] *Pan Swecicus Amœnit. Acad.*, vol. iii.

[2] *Essays relating to Agriculture and Rural Affairs.* James Anderson, 1775.

a small patch of this variety, which was cut in the month of September, had advanced before winter to the length of five or six inches, "forming the closest pile that could be imagined." "And although there had been about six weeks of very intense frost with snow, and about six weeks immediately succeeding that, of exceeding frost every night with frequent thaws in the day-time without any snow, during which time almost every green thing was destroyed, yet this little patch continued all along to retain as fine a verdure as any meadow in the month of May." Purple fescue, vernal grass, and burnet possessed the same qualities, though in a less degree. Common rye-grass, soft grass, the myrrh plant and epilobium, though incapable of resisting frost, were earlier in leaf in the new year than other varieties. Some grasses, like the common milk-wort, yarrow or milfoil, sheep's fescue, etc., only appear after the ground has been for some considerable length of time in grass; while, on the other hand, "couch-grass, knot-grass, and earth-nut only flourish while the ground is under cultivation, or at most for a year or two after it is laid into grass; after which time they usually disappear, and are no longer seen till the ground has been again in tillage for some time" —a fact which was taken advantage of by Scotch farmers for getting rid of these destructive weeds.[1]

It had been also observed that dry food seemed less apt to produce fat than more succulent varieties; that peas and other leguminous grain had a greater tendency to promote a quantity of fat and juicy flesh than oats; that the Arabs, who paid especial attention to their horses, fed them with a paste of dates and camel's milk; that the Portuguese preferred chestnuts to barley or oats as horse-feed; that carrots were coming into use in England for a similar purpose, and that bruised whins greatly promoted the health of the same quadruped. Without stopping to criticise these assertions, it may be assumed that the British agriculturist was fully alive to the necessity for further chemical knowledge on the sustaining powers of various fodder plants. "Experiments are still

[1] Would that couch-grass (*triticum repens*) were so easily got rid of!

wanting," says this same advanced writer, "to ascertain with precision the comparative value in this respect of these and many other kinds of food." He was quite prepared to admit that what was one animal's food was another's poison, and that what would fatten a beast for the butcher would but create disease in an animal required for draught purposes. Long-leaved water hemlock, he pointed out, was poisonous to cows, but wholesome to goats; monkshood, not at all hurtful to the horse, disagreed with the goat. Sheep, horses, and cattle are poisoned by the broad-leaved kalmia, which affords a grateful food to deer. Pepper was fatal to swine, but good for poultry. Cows refused to touch meadow-sweet, which was highly relished by goats; and lastly, horses devoured the water-mint and musk-thistle, which cattle avoided entirely. Some plants, like the "bulling grass" of Scotland, were beneficial for breeding purposes; others increased the flow of milk in the cow and ewe. Some added to the proportion of cream; others affected the taste of butter. It was therefore worth inquiring if plants, like climates, had any effect on the natural clothing of domestic animals, and how variations in age, size, and breed could be best utilised for the production of wool and fat.

The practice of sowing different kinds of grass-seeds had been first introduced into Britain a century before. It had been long recognised that old pasture was superior in feeding qualities to new. What bearing had this on the varieties and ages of grasses? Was the practice of sowing a renovating mixture on worn-out turf good or pernicious? To answer such questions as these, a thorough knowledge of the varieties in use was required.[1] Rye-grass, like the couch-grass, knot-grass, narrow-leaved sorrel, wild mint, etc., was short-lived, and therefore useless for purposes of renovation. In fact, all grasses that run chiefly to seed stalks would seem to be improper for such a purpose, and preference should therefore be given to those which throw up most leaves, such

[1] Stillingfleet's *Calendar of Flora* for the years 1755 and 1787 must have been invaluable in such a quest.

as the purple fescue and sheep's fescue, vernal soft grass, bulbous foxtails, great and creeping meadow grasses, etc.

The experiments of Anderson on timothy-grass, crested dogs'-tail, fine bent-grass, milk-vetch, etc., were either too unsuccessful or too incomplete to allow him to decide in their favour. Others, like the bush-vetch of the pea tribe, rib-grass and common yarrow, were adapted for some soils, but not for all.

From all that has been now said, it will be observed that scientific writers of the day, of whom there were several besides our Scottish author, were carefully studying the botany of the farm, and treasuring up observations which would ultimately prove of the greatest possible value when the analysts of the future should turn their attention to the subject of cattle feeding.[1]

The various herds of domestic animals were also employing the attention of practical men. And it was high time that they should, for at the beginning of the century the average live-weight of an ox was only 900 lbs., and of a cow 500 lbs.;[2] and the kind of cattle that was most esteemed before Bakewell's day was the large gummy, flat-sided, often "lyery" or black-fleshed variety.[3]

Of the different sorts, the short-horned or Dutch breed of cows had long held the lead. They not only yielded the most milk, but claimed precedence of any other breed in weight of meat. George Culley tells us of an ox belonging to Sir John Haggerstone, which weighed 140 stone; and Hill, of Blackwell, had one in 1759 which was then the heaviest known, and weighed 151 stone 10 lb.[4] This variety came to cede its prominent position to that of Yorkshire, which in its turn

[1] For example, the writings of Linnæus and Stillingfleet, Grew's *Anatomy of Plants*, Fordyce's *Elements of Agriculture and Vegetation*, and sundry treatises by Tillet, Duhamel, and Haffenfratz on the Continent, and of Priestley, Kirwan, Dundonald, Darwin, Dickson, etc., at home.

[2] *The Country Gentleman's Vade Mecum.* Giles Jacob, 1717.

[3] *Annals of Agriculture*, vol. vi. p. 419.

[4] Id. *Ibid.*, p. 423.

gave place to the longhorned Lancashire, on which Bakewell's improved breed was engrafted. Arthur Young, however, for yield of milk, preferred the polled Suffolk,[1] and for richness of cream the Alderney. Then particular herds belonging to private gentlemen became famous for their various good qualities. Thomas Gresley, of Burton, was, for example, noted for his longhorns. Webster, of Cauley, had started another strain of the same breed. The Ketton herd of Durham shorthorns and the Herefords of Tomkins began to replace in public estimation all others for combined milking and fattening purposes, though some of the south-country varieties were still holding their own for draught uses.

It was not, however, till the beginning of the present century that the results of the show-yard settled once and for all the vexed questions relating to the qualities of wool and mutton, milking and beef, in favour respectively of the Leicester, Shropshire, and Southdown sheep, and of the shorthorn, Jersey and Hereford cattle. Successful cattle-feeding depends chiefly on the amount of building accommodation, which was very insufficient at this period, and the reason of which we shall understand more clearly later on. Suffice it here to say that there was no country where so few cattle were housed as in England. In France, on the contrary, during the cold season not a quadruped, except the oxen on the small holdings, lay abroad; and in Holland the livestock were not only housed in winter, but clothed whilst feeding in the fields during autumn. Moreover, their stalls were washed daily, and their tails tied up to the ceiling. In England, however, some of the finest dairy herds in the country were never housed, it being asserted that the want of air rendered the animals unhealthy. On the other hand, Bakewell kept all his cattle under cover during winter; and Arthur Young was so far in favour of doing so that he had given the practice a trial for two winters, and *found no harm come of it.*[2] Even Bakewell, for the greater part of his life, used no litter among his cattle, and only took to it in his old age for the sake of the manure, and not because

[1] *Annals of Agriculture*, vol. ii. p. 151.

[2] Id., vol. iii. p. 60.

it kept his beasts (which were carefully groomed daily) any cleaner.[1]

By this time a trade in Scotch cattle had been initiated, and Caledonian beef had penetrated as far south as Romney Marsh. At St. Faith's Fair, also on Bullock's Hill at Norwich, might be seen Lowland Scots, Galloways, and Highland cattle. 40,000 black Scots runts were fed every year on the marshes between Norwich, Beccles, and Yarmouth, being fattened on turnips from the lighter lands, and disposed of towards Christmas, not only in Norwich and Yarmouth, but in London.[2] In fact, Norfolk supplied the Smithfield and Islington fat markets alone with over 20,000 bullocks in 1793.[3]

The following list gives the average number of beasts and sheep brought annually to Smithfield from 1732 to 1785:—

| | Beasts. | Sheep. |
|---|---|---|
| In 10 years from 1736 to 1745 ... | 820,701 ... | 5,416,390 |
| „ „ „ 1746 „ 1755 ... | 707,160 ... | 6,333,070 |
| „ „ „ 1756 „ 1765 ... | 842,148 ... | 6,139,710 |
| „ „ „ 1766 „ 1775 ... | 858,748 ... | 6,127,390 |
| „ „ „ 1776 „ 1785 ... | 992,040 ... | 6,859,990 [4] |

Oxen for draught purposes were found to perfection in Sussex; cows for dairying requirements in many parts of Wilts and Cheshire. But if we want to see breeding and management at the height of perfection then reached, we must again visit the Dishley district. Here might be found varieties as widely different as the Longhorned and Devonshire. Graziers who were not particular whether they bought Fifeshire Scots, Shropshires, Irish, or Welsh, could pick them up cheap enough. But if any breeder wanted to buy one out of Bakewell's or Paget's herds, he had to pay a long price for it. Lord Harborough had given £157 for a bull and £89 for a cow, and it is quite certain that neither for love nor money would Bakewell have parted with his famous and noble white specimen.

On the subject of sheep, opinions, in days prior to Bakewell,

[1] *Annals of Agriculture*, vol. vi. p. 488.
[2] Defoe's *Tour through Britain*, vol. i. p. 61. 1769.
[3] *Report to Board of Agriculture*, *sub voc.* "Norfolk."
[4] *Annals of Agriculture*, vol. vii. p. 54.

differed widely. A Norfolk breeder would tell people that they should be "black-faced and black-legged, and that their horns should come out forward, and turn in such a manner as you can see the ears through or behind the circle of the horns." A Wiltshire breeder would, on the contrary, affirm that "sheep should have white faces and white legs, and that their horns should come out backwards in such a manner that the ears may be seen before the horns." But a Sussex flock-master "insisted that these authorities were both wrong because sheep should be grey-faced, grey-legged, and hornless." [1]

But sheep had always been looked after far more carefully than cattle. Flocks, especially in Herefordshire, were kept under cover and stall-fed at night, both winter and summer; and though Jacob gives the average weight of wethers in his time at only 22 lbs. per quarter, and of ewes at 18 lbs.,[2] we shall find, before we have done with our subject, that even at a period when the fine fleece and sweet mutton of the mountain sheep were more esteemed than the thick pelts, heavy wool, and coarse-grained meat of the Lincolnshire variety,[3] the sizes of sheep were rapidly increasing. This new departure in breeding must be ascribed to Bakewell, who now began to carry the Leicestershire mutton and fleece to the fore. The long bodies and short legs of these sheep gave them the appearance of beavers,[4] and were soon much preferred either to the camel-like proportions of the tall light Dorsets, the smooth-headed Lincolns, hurdle-backed, swarthy-faced Norfolks, firkin-bellied Southdowns, long-wooled Romneys, or even the world-renowned Cotswolds. John Ellman introduced the Southdown sheep in 1780, and not much later young Jonas Webb was registering a mental vow that he

[1] *Annals of Agriculture*, vol. vi. p. 420.

[2] *The Country Gentleman's Vade Mecum.* 1717.

[3] *Annals of Agriculture*, vol. vi. p. 419.

[4] Young, in 1771, measured two with the following results:—Three-year-old ram: girth in the wool, 5 ft. 10 in.; height, 2 ft. 5 in.; collar, broad at ear tips, 1 ft. 4 in.; breadth over shoulders, 1 ft. 11½ in.; ditto over ribs, 1 ft. 10½ in.; ditto over hips, 1 ft. 9½ in. Two-year barren ewe: height, 1 ft. 11 in.; girth, 5 ft. 9 in.; breast from the ground, four fingers length.—*Eastern Tour.* A. Young, 1771.

would some day breed a class of sheep with less uncomfortable saddles than those on which his grandsire gave him rides. We all know how well he fulfilled this undertaking by raising the mutton of Ellman's variety to its present premier position in the meat market.

In the days, however, antecedent to Jonas Webb, for productiveness the large Holland and Lincolnshire breeds were preferred, for delicacy of mutton the tiny Shetland and Norman sheep. For peculiarities not necessarily profitable to the breeder, the Sologne sheep of France with their wool curled, as it was vulgarly supposed, by the agency of the lark's bill, and the Andalusian sheep of Spain, conspicuous for their brindled and spotted fleeces, or those of Persia for their white, reddish, and silver-grey colouring, were remarkable.[1]

It was most important to ultimate success, as pointed out by Young, for the farmer to select some breed of sheep adapted to the nature of his soil. On light sandy lands where there would be "a spare bite," the Welsh, Moor, or Norfolk sheep was preferred. On the best land one or other of the larger breeds was resorted to. The Teeswater, thought by some to be the finest English sheep, was suited for the very richest pastures; so also was the Lincolnshire breed. After these came the Hertford, Dorset, and Wilts varieties, which were generally selected for medium soils.

Bakewell also recognised the necessity for more than one breed, and did not confine his entire attention to the Leicester. He had discovered in the Cheviot a variety useful to mountainous districts, and in the Southdown a sheep specially adapted for browsing on the sweet wild pastures of the Sussex uplands.

And indeed it was high time for the farmers of this country to bestir themselves, unless they wanted to see one of their chief avenues of profit closed against them. The old days, when the wool trade used to be termed the "gold mine" of the country, were gone. Spanish wool, clipped from the descendants of those rams which Edward IV. gave to the King

[1] *Farmer's Kalendar*, p. 27. A. Young.

of Aragon, was largely mixed with English, and our merchants no longer retained a monopoly in the foreign markets. A writer to the *Gentleman's Magazine* of January 10, 1790, relates how, when once he happened to land at Marseilles, he had the mortification of seeing eighteen ships, just arrived from the Levant, awaiting their cargoes of French wool; and Volney, in his *Travels in Syria*, writes how he discovered in the far East quite as many foreign trading houses as English.[1]

Yet if we come to consider what the English woollen trade comprehended, we shall find that it was still a large item in our trade revenues. Out of the fleece were made Norwich stuffs, stockings knit and wove, carpeting, camlets, serges, duroys, etc., etc. By it were supported not only the manufacturer and flockmaster, but the weaver, clothier, merchant, and "scribler." Clothing towns were prevalent in the counties of York, Gloucester, Wilts, Somerset, and Devon; and it had been estimated by a writer of the times that the wool trade employed £14,000,000 of English capital, and the labour of 450,000 individuals,[2] while another authority assures us that there were often as much as £60,000 worth of wool at a time in Stourbridge Fair.[3]

The diminution in our foreign custom seems to have been partly due to dishonesty, partly to bad management. Every bale of woollen goods arriving at a Turkish harbour had by law to be opened on landing, its contents compared with the invoice, and if found deficient returned to the port where it was laden. Here in England it was impossible to trace the original offender amidst the various middlemen through whose hands the goods had passed; but by a very simple process the French Government effected this object, and so put a stop to the malpractice in France. Every piece of goods was compelled by law to carry the maker's and stamp-master's name; so that whenever any article was returned from the most distant parts of Asia as faulty, prompt and severe punishment could be meted out to the real offender. The French manu-

[1] *Gentleman's Magazine*, January 10, 1790.
[2] Report from Wilts to the Board of Agriculture.
[3] *Tour through Great Britain*, p. 94, 7th ed. Defoe.

facturers also made a lighter cloth, better adapted for a warm country than the more substantial goods exported from England.

Perhaps, too, the foreigner took more pains with his flock. Swinburne, in his *Travels in Italy*, relates how it was the ancient custom of the Romans to drive their sheep out of Apulia into Samnium, where a proper allotment of summer pasturage awaited them. This practice, abandoned after the ruin of the Roman Empire, had been revived by Alphonsus, first king of Naples, who engaged to supply native flock-masters with both a fine new breed imported from Spain[1] and good pasturage on perpetual leases for the seven summer months.[2] The flocks were allowed to pass to and fro free of tolls and dues, and were under special State protection during transit. The owners were furnished with materials for huts and folds at reasonable prices on credit; and if the supply of pasture lands failed, the State bought more. So successful was the enterprise that the numbers transported in this manner during one year had been computed at one million two hundred thousand sheep.[3]

This same practice lingered on in Spain long after the renewal of warfare had put an end to it on the Italian peninsula. The most extraordinary care was bestowed on their flocks by the Spanish shepherds, each of whom was accompanied by his great wolf-dog, armed with spiked collars, and able to cope even with bears. Their first business on arriving at the summer pasturage[4] was to afford the ewes as much salt as they could eat. This was placed on flat stones at intervals of twenty feet, and, at stated periods during the season, the flock was driven slowly between them, in this way each sheep being supposed to absorb as much as 1½ lbs. in

[1] Descendants probably of those sheep presented by the English King Edward.

[2] The pasturage of Apulia, probably of all the Neapolitan States, was Crown property, so we are told by Young in his *Annals*.

[3] *Gentleman's Magazine*, January 10, 1790.

[4] The mountain pasturage of Catalonia and other provinces was the property of the villages, and managed by a vestry.—*Annals of Agriculture*, vol. viii. p. 194.

the year. About September every sheep was rubbed over with ochre diluted in water, which, by acting as an absorbent and sucking up the grease of the wool, became incorporated with the waste products of the skin, thus affording a protective dressing against the inclemency of the weather.

They received no food—so Young, who visited Catalonia in 1787, tells us—but what they could pick up for themselves; most of them were polled with speckled faces; some, however, were black. As a rule, they were short-legged, with round ribs and straight backs, in good order and flesh, and estimated by this same writer to average from 15 to 18 lbs. a quarter. What satisfied Young most about the management of the Spanish shepherd was that when he wanted to examine a ram, he did not run at it and catch it with his crook, but bade it follow him, which it readily did.[1]

The first, almost the only, object of the Spanish flockmaster was the wool. It was noticed that the fleeces of Andalusia were far coarser than those off the backs of the marine sheep, and this was attributed to the custom of retaining the flocks of the former district in one locality all the year round. Immense pains were bestowed on the process of shearing. Starting as early in the spring as the weather would permit, the sheep on the first day of clipping were packed as close as possible together in a sudatory to promote sweating, and so soften the wool. The old custom mentioned by Columella of soaking the sheep's back and sides at shearing time in oil and wine seems to have been known, if not absolutely practised, and is recommended (with the substitution of beer for wine) by the same writer in the *Gentleman's Magazine* as suitable for English sheep. The Spaniards divided their wools into three sorts. The back and belly gave the superfine, the neck and sides the fine, and the breast, shoulders, and thighs the coarse. The fleeces were never piled one upon another, for fear they might rot; and the sheep, after being shorn, were kept under cover for a few nights in buildings especially erected for the purpose; in fact, so fearful were their owners

[1] *Annals of Agriculture*, vol. viii. p. 200.

of deteriorating the wool that during severe weather at any time of the year they were driven into covered yards.

Though all these practices probably came into Spain, like the sheep itself, from England, it would not seem as if they were at this later period considered requisite here; at any rate, most of them had long since died out.

In the northern counties of England the sheep were salved before shearing, and housed during stormy weather. Cotting also lingered on in Herefordshire up to this period; and the three-storied erections of Gloucestershire, into the upper compartments of which Camden describes the sheep as mounting by means of inclined planes, had not long fallen into disuse. But in other parts of the country these practices had been discontinued, as it was found that the fleece, though lighter by half a pound without its salve, fetched a better price at the market,[1] and that "cotting" the flock in bad weather, like the custom of milking the ewes in summer, was not worth the trouble. Indeed, we need not ascribe the superiority of the Spanish wool to any neglect on the part of our English flockmasters, who had from time immemorial been in possession of all the best specifics for producing the most marketable wool. Thus the writer, from whom we have quoted, himself points out that the shawls of Shetland could hold their own with even those from India, though no locality bore a worse name for drawbacks of climate than that island.

Again, though he imagines that the verdure of our Sussex downs might be artificially enhanced by a judicious introduction of fresh graminiferous seeds, he at the same time does not dispute its immense superiority as a pasturage over anything to be found on the southern side of the Channel. It was probably therefore owing partly to the dishonesty and greed of the manufacturer, partly to the increased national demands for corn, partly to the restrictive legislation of suc-

[1] Bakewell used some composition, of which Sir Humphrey Davy so far approved as to admit that it increased the flow of yolk, and thus rendered the wool fine, though for preference he recommended "a little soft soap with excess of grease." *Vide Quarterly Review*, vol. xi., 1814, *sub voc.* "Davy's *Agricultural Chemistry*."

cessive English ministries, that the wool-growing had ceased to be as lucrative a pursuit for the farmer as it had been in past years.

One of the main objections to the enclosure system was that it would tend to diminish the flock and deteriorate its wool. If so, it would seem as if the clothier might have had cause of complaint. But it was pointed out that if he found that the fleeces from the cultivated districts were less serviceable than those from the wastes, he would only have to mix a larger quantity of the Spanish wool with them. This he could well afford to do, for he would probably be paying 1*s.* 6*d.* per lb. for the best English wool where he formerly paid 2*s.* The farmer, on the other hand, would not be out of pocket, because he would find that he could keep on an acre of cultivated land four sheep where he had kept only one on the same area of waste. Though the finest wool was found to be produced by the smaller breeds of sheep, they were fast giving way to the improved varieties of Dorset and Southdown; and since the quality of cloth, as to fineness, was merely comparative, the distinction would vanish as soon as the best species of fleece dropped out of the market. The cloth manufactured entirely from Spanish wool was confined to the opulent; that composed of a mixture of Spanish and English to the middle classes; and that wholly made out of English to the poor. A further cause of the decline in the quality of this native product was that the farmer looked for his profits, not as formerly merely to the fleece, but to the whole carcase of his sheep. Meat, parchment, leather, and candles, as well as wool, now helped to swell the profits of the flockmaster.

What has been said above will enable us to examine intelligently the actual practices of the livestock farmer in various parts of the country at the period we are now dealing with.

In districts where meat was a more valued market commodity than wool, the farmer kept principally in view early maturity. In Kent, for example, flockmasters bought their lambs on the 20th of August at from 12*s.* to 14*s.* each in Romney Fair, kept them lean two years, and sold them to the fatting grazier at from 24*s.* to 28*s.*, who finished them off with turnips and pea-

straw, and again sold them to the butchers at from 34*s.* to 42*s.* The Romney Marsh variety was principally used, though Dorsets and Southdowns were bred and sold as early lambs. In the districts where the Dorset variety of sheep was prevalent, flocks of from 400 to 600 were kept, and the lambs born at Christmas were weaned in May, shorn in Midsummer, and then sold for about 18*s.* each; or the ewes forward with lamb were sold for about 35*s.* in October (though folded up to the time of sale) to the London butchers. Other farmers attended the Midsummer markets and bought wether lambs, which they folded continually for twenty-two months, and then sold to graziers occupying marsh lands for from 27*s.* to 38*s.* each. This practice, though requiring less care and attention, enabled the farmer to manure more land.

Within a six miles radius of the town of Dorchester there were, in 1769, some 600,000 sheep; and on Salisbury Plain flocks of from 3,000 to 5,000 each might be counted, several of which often belonged to one individual farmer.[1]

In Hants the Southdown breed had been only partially introduced, principally by amateur farmers. The Berkshire Nott sheep, often crossed with the horned variety, was most in fashion, and being more hardy than other kinds was thought best adapted to the poor downs of the Chiltern district. They required less change of pasture than more delicate varieties, and were favourites with the butcher. On the Wiltshire Downs the endeavour of the flockmaster was to obtain a breed which was sufficiently hardy to flourish on a close-fed pasture and walk six miles daily to and from the fold. The farmer's first object seems to have been the manure, his second the wool, his last the meat and tallow. For this purpose he generally bred the Wiltshire horned sheep, from whose fleece the second or super broad cloth was obtained, the weight of which was from 2 to 3 lbs., and value from tenpence to thirteen pence per lb.

Turning now to Sussex, the chief centre of the Southdown breed, we find this sheep in great request on account both of

[1] *A Tour through Britain*, vol. i. p. 310 *et seq.*, 7th ed., 1769. Defoe.

its mutton and of its wool. Though gentle and domesticated, it was sufficiently hardy and active to fill its belly with rough herbage between the hours of turning out and turning in daily. During the winter the flock received hay, but was never taken off the downs, where its fold was situated. Butchers found the meat of this sheep highly relished by the upper classes, and the average weight of its quarter was 16 to 20 lbs. Little pains were taken to sort the wool, which, notwithstanding, vied in price with that of the Herefordshire, and often fetched 2*s.* per lb. As, however, it only averaged 2 lb. per fleece, this did not greatly augment the flockmaster's profits.

Before we carry our readers to that part of the country where the most advanced science with regard to the flock was to be found, let us by way of contrast describe the economy in a part where one might almost imagine men had advanced no further than the patriarchal age. Up among the recesses of Borrowdale, and amidst sheltered nooks of the Cumberland fells, still flourished the "estates-men." These primitive shepherds lived and died among their flocks, handing down this form of personal property from father to son from time immemorial. "The pride of descent," says Warner, after his visit to this district at the beginning of the present century, "would be put to the blush were it to be told that in a hallowed recess of this kind a man is now living who enjoys exactly the same property which his lineal ancestor possessed in the reign of Edward the Confessor. These men never grew rich, because periodical storms decimated their unsheltered flocks. They dispensed to strangers the same generous hospitality and in the same fashion as Abraham was wont to do." "Go," said an estates-man to a friend of Warner's whom he had entertained for some days in his house, "Go to the vale on the other side of yon mountain, to the house of such an estates-man, and tell him you came from me. I know him not, but he will receive you kindly, for our sheep mingle upon the mountains."[1]

Though the blood of the Leicester breed had penetrated the

[1] *A Tour through the Northern Counties of England*, etc., Rev. R. Warner, vol. ii. p. 104, 1802.

southern counties, and was to be found in almost every district of England, it was of course in the neighbourhood of Dishley that it was most highly in fashion. Bakewell himself was not disposed to yield the palm to any other breed, foreign or native, and kept on his farm sheep of the Ryland and Spanish breeds, merely to afford ocular proof of the superior excellence of his New Leicesters. People came from far and wide to purchase strains of the Dishley blood. A Mr. Paget sold at his auction on November 16th, 1793, 200 ewes of this variety for over £2,500; and at the same sale a breeder is said to have refused a thousand guineas for a pen of six. In fact, so eager were flock-masters to get hold of the Dishley strain that they had been known to buy from the butchers the draft ewes sold fat by Bakewell. Thereupon, putting into practice a theory of his own,—viz., that any herbage saturated by *flowing* inundations could propagate the rot,—he used to turn those sheep destined for the Christmas fat market on to his irrigated meadows during the preceding autumn, in order that their livers, diseased with the fluke, might prevent their being utilised for breeding purposes.[1]

Though the meat and fleece off a Lincoln sheep was as a rule heavier, breeders of the Dishley variety maintained that their animals yielded a greater quantity of both wool and mutton to the acre.

We have been at some pains to search the records in order to find out the statistics of sheep carcases at this period. The heaviest sheep of the century was a three-shear New Leicester bred by Jobling, of Styford, in 1794, whose live weight was 330 lbs. and carcase 232½ lbs.[2] The next heaviest animal was the outcome of a bet, by which Logan, a Berwick farmer, and Sheriff, an East Lothian sheep breeder, each undertook to produce a heavier sheep than the other by the first Friday in the November of 1791.[3] The latter's animal scaled 294 lbs. 4 ozs., its hind-quarters when butchered reaching 106 lbs. and its fore-quarters 87 lbs. But a New Leicester killed in 1797, from a

[1] *Farmer's Tour through the East of England*, vol. i. p. 110, etc.
[2] *Annals of Agriculture*, vol. xxii. p. 337.
[3] Id. *Ibid.*, vol. xvii. p. 500.

butcher's point of view eclipsed this Scotchman's feat, for though its live weight was only 286 lbs., its carcase scaled 198 lbs.[1] Far behind such successes as these was a crossed Lincoln and New Leicester four-shear wether, killed the same year as the last mentioned, which weighed, alive, 212 lbs., and was found when butchered to possess a carcase of 121 lbs.[2] The year preceding a pure bred three-shear Lincoln wether was killed whose four quarters totaled 204 lbs.[3] In the same year Coke, of Holkham,[4] bred a Southdown whose live weight was 14 st. 5 lbs., and carcase 9 st. 6 lbs.;[5] and Culley tells of a Tees-water wether which averaged 62 lbs. 10 ozs. per quarter.[6] The New Leicesters seem to have had more meat in proportion to fat and offal than any other variety. A Dorset was killed in 1798 which weighed 23½ lbs. a quarter, and had 15 lbs. of loose fat, while a New Leicester slaughtered at the same time and place had, though it averaged 40 lbs. per quarter, only 12¾ lbs. of fat.[7]

The management of the Dishley flock was briefly as follows:—Lambs were weaned from the middle of July to the beginning of August, put upon clover-aftermath until November, and then folded upon the hulls of turnips which had been first fed off by the feeding flock. The ram lambs had every indulgence from weaning time to shearing, and were let out on hire the first season. After the lambs left the ewes, the latter were kept moderately well till winter, when they had turnips, etc.

The Dishley breed had been crossed with the famous Cotswold variety, by which the latter obtained the former's fineness of fore-quarter without losing its own excellence of wool. A second cross was, however, found to damage both its size and fleece.

The now famous Shropshire sheep was not as yet known.

[1] *Annals of Agriculture*, vol. xxix. p. 605.
[2] Id. *Ibid.*, vol. xxviii. p. 275.
[3] Id. *Ibid.*, vol. xxvii. p. 105.
[4] Id. *Ibid.*, vol. xxvi. p. 184.
[5] The present Lord Walsingham has had them over 17 stone.
[6] *Observations on Live Stock.* G. Culley, 1786.
[7] *Annals of Agriculture*, vol. xxx. p. 71.

In that county a small sort of hornless variety with mottled face, originally from Wales, was most in fashion. The Ross sheep, from Herefordshire, lately introduced, was said to yield the finest wool in the kingdom, though this may have been mainly owing to the practice in the latter county of sorting the wool, which was so carefully followed in Spain.

But the wool *par excellence*, which had procured for English agriculturists in Tudor times a world-wide fame, and which insured for the Spaniard his present supremacy in the world's market, had been the Cotswold. In the old days this light-carcased and polled animal had produced a fleece averaging 3 lbs. of the finest wool possible. Every care had been bestowed on its welfare, and though admirably adapted to the bleak climate of a hill country, it had been driven under shelter whenever bad weather threatened, with that caution lately shown to be the attribute of the Spanish shepherd. Then the enclosure of the wastes, combined with attempts to produce an increased carcase by cross-breeding, had brought about a larger animal but a coarser wool, and the requirements of the butcher had been allowed to supplant those of the clothier. Wether sheep were now fatted off from two to three years old, and averaged 26 lbs. the quarter; but though the weight of a fleece had more than doubled itself, the quality of the wool was depreciated.

On the greensward of the Cheviots was a typical form of mountain sheep. Though hornless, and, in general, with white faces and legs, they were admirably adapted for a semi-wild existence. The ewes were kept as much as possible on the lower ground, but the gimmers and wethers braved the fierce blast high up amidst the heaths which clothe with verdure the mountain sides. Their wool was not fine enough of itself to repay the flockmaster, but they were quick feeders, and yielded the sweetest of mountain mutton. They were fast being mixed with the Dishley and Lincolnshire breeds; and though the progeny of this cross could not vie in value with the long-fleeced variety as regards wool, and with the pure-bred Leicester as regards meat, it possessed in moderate proportions those combined attributes of hardiness, early maturity,

and thickness of fleece, which alone can render mountain sheep-feeding a profitable pursuit.

The moral of all that has been now said is, that no one as yet had been clever enough to get off one and the same sheep the finest wool and the sweetest meat. The old mountain-fed Cotswold yielded excellent material for warming the outer man, but very poor stuff indeed for gratifying his inner wants. The Cheviot sheep was just the other way about. The cultivated enclosure improved the flavour and quality of the mutton, but the virgin waste afforded the best wool. It was probably off part of an old-fashioned Cotswold ewe, fed on one of the ancient commons, that Dr. Johnson dined whilst travelling from London to Oxford. It was, he said, "ill fed, ill kept, ill killed, and ill dressed," from which we may be fairly sure that its wool (unless rendered brittle by irregular feeding) would have been fit to have interwoven with cloth of gold for a king's vesture.

The finest mutton was, however, the Southdown; and though Lord Somerville once tricked the President of the Board and several other connoisseurs into extolling the superior flavour of a Leicester leg, there was no doubt, as Young says, that the paler and closer texture of this mutton was really not to be compared with the delicate and piquant taste of the Southdown's gravy.[1]

But little remains to be said of the other varieties of farmer's livestock. Swine were generally kept throughout the country, and were as good, in the absence of any incentive like the Prize Show to scientific management, as we could expect. The first we hear of any public encouragement bestowed on pig-breeding is the fact that Arthur Young obtained the medal of the Society for the Encouragement of Arts, etc., somewhere about 1780, and no doubt his interesting contributions to his *Annals*[2] on the fattening of hogs let in a flood of new light on the subject.

[1] *Annals of Agriculture*, vol. xxvi. pp. 433–4. At the present day, of course, there is no comparison, the Southdown's flesh being far superior to that of the Leicester.

[2] Id. *Ibid*, vol. i. p. 333 and vol. iii. p. 486.

Poultry was even more neglected than it is now. As Mr. Brodrick points out in his *English Land and English Landlords*, Arthur Young had shown that, save in Ireland, the domestic fowl was considered beneath the farmer's notice, and that Adam Smith included the business of the dairy, the feeding of hogs, and the rearing of poultry, in the same category as market gardening,[1] stating that, where practised at all, these pursuits owed their origin to the sentiment of "save all." But then Adam Smith was no farmer, though in Marshall's *Review of the Reports to the Board of Agriculture* we may find much corroboration of this notion from men who ought by profession to have known better.[2]

One exception only have we found to this condition of affairs, and that is an important one. Suffolk and Norfolk seem to have supplied the rest of England with turkeys. On the road from Ipswich to London was situated Stratford Bridge, and along this passage over the Stour some 150,000 turkeys were driven yearly. During August and September droves consisting of thousands of geese might frequently be met with on the main roads converging on the east of London. At the end of October, when the highways got too heavy, special carts, composed of four stories or stages, drawn by two horses abreast, and travelling as much as a hundred miles in the twenty-four hours, conveyed the poultry to the metropolitan markets.[3]

[1] Compare *Wealth of Nations*, Bk. I. ch. xi. 210, id. *ibid.* p. 315, A. Smith, ed. 1809. Adam Smith had probably never studied the economy of market gardening as practised in the suburbs of great towns even at this period. Defoe describes the market gardens around Ely as furnishing the whole country-side for twenty miles round with vegetable produce.

[2] *English Land and English Landlords*, p. 63.

[3] *A Tour through Great Britain*, vol. i. p. 53. Defoe, 1769.

## CHAPTER XIII.

### THE SCIENTIFIC AGRICULTURE OF THE PERIOD.

ANY intelligent husbandman must realise the fact that the chemist and engineer would look to him first to direct their research into those channels best calculated to assist him; and that they would obtain this necessary information far better by discovering the blunders of his practice than by being told of its successes. Unfortunately he himself hardly knew in what direction his system was defective, and this naturally retarded their suggestion of the proper remedies.

But the first approaches made by science to agriculture occurred through the medium of the physiologist. Amongst Englishmen the abstract principles of fertility had engaged the passing observation of Lord Bacon, and the more prolonged attention of Woodward and Evelyn.[1] The great diarist wrote a treatise on the nature of earth for the Royal Society, in which, as a proof of the complexity of his subject (we might add, of his own ignorance), he quotes from the *De Arte Combinatoria* that there were supposed to be one hundred and seventy-nine million one thousand and sixty varieties of earths, of which some eight or nine only were known! Laurembergius had informed the world that "where the Mould lies so close, as it does not replenish the Foss, out of which it has been dug, any corn sown in that country soon degenerates into Rye; and what is still more remarkable, that the rye sown in Thuringia (where the Earth is less compacted) reverts after three crops, to be wheat again." On a par with such nonsense was Lord Bacon's belief that where the extremity of the

[1] *Essay towards a Natural History of the Earth.* Dr. Woodward, 1695. Terra Evelyn.

rainbow seems to rest, there the mould is more roscid and fertile. So far it would seem that the scientific inquirer had been grossly imposed upon by the husbandman, and that the former had tried to explain on philosophical grounds phenomena which he had been deceived into believing were natural, but which were really the emanations of some imaginative brain.

But Evelyn himself was too familiar with Nature to base his philosophy on information received from second-hand sources. There was much exaggeration, but a penetrating germ of truth in the supposition that certain soils had a smell of the juice of vegetables, "as though they were already concocted and prepared" with the elements of plant life. To another sense, that of taste, Evelyn attributes a power to detect the peculiar salts which are common to soils and plants; and in both these instances he was on the verge of Liebig's great discovery.

Evelyn also estimated at their true worth the processes of cultivation and stercoration. "It is verily almost a Miracle," he says, "to see how the same Land without any other Manure or Culture will bring forth and even luxuriate; and that the bare raking and combing only of a Bed of Earth, now one way, then another, as to the Regions of Heaven, and Polar Aspects, may diversifie the annual Production. Having said thus much of the Natural, I should now come to Artificial helps by application of Dungs and Composts; and indeed 'stude ut magnum sterquilinium habeas' was old and good advice."

He also recognised that, if a soil was drained entirely of its "nitrous salts and masculine parts," it would become sterile; and further, that its fertility could be replaced *immediately* by the application of manures, *less suddenly* by leaving it fallow for a time. The secret of this phenomenon was discoverable in a certain fertilising salt common to soils, vegetables, and manures, and which could be artificially transposed from one to another of these three substances when occasion required. The principal vehicle whereby this transposition of the salt was effected is rain-water. By learning which manures contained this salt in greatest abundance, the process of agriculture could alone be brought to perfection.

So far natural philosophy, unaided by chemistry, was on safe ground. It was when it had to rely on the defective information of the analyst for further aid that it began to blunder. The chief defect in the literature of these early philosophers is the pernicious and conventional practice of using terms unintelligible to the ordinary farmer. Evelyn interlarded his treatise with scraps of Latin and phrases borrowed from the alchemists and iatrochemists, as though he intended to make agriculture the same esoteric science as medicine or astronomy. For his work to have proved attractive to practical men, he would have done better if he had "called a spade a spade," and used the simplest instead of the most obscure language in expressing his meaning.

In 1721 Richard Bradley, another Fellow of the Royal Society, reproduced in English a scientific treatise[1] on Husbandry and Gardening, the work of a Doctor of Philosophy at Ratisbonne. So well received was it in Germany that the Dutch and French considered it worthy of translation into their respective languages. It consisted chiefly of "rules for multiplying trees from all their Parts as Roots, Stem, Branches, Twigs, and even from the very Leaves, which their author prepares in such a manner with Vegetable Wax or Mummy," as he calls it, that "every Bit of a Tree" ordered in his way will take root and grow almost at any time of the year. Bradley having tried some of his specifics with success, felt himself justified in translating the work into English for the use of his countrymen. His experiments, if only on account of the apparent success attending them, are worthy of some consideration. On the 12th of July the weather, Bradley says, being scorching, the ground dry, and therefore unfavourable for his purpose, he cut several branches of that year's shoot from peach, pear, plum, arbutus, yew, and other trees, reduced them to a length of six inches, dipped the cuttings in the mummy mixture, planted them four inches deep in a prepared bed of light soil, and rammed the earth close about them.

[1] *A Philosophical Treatise of Husbandry and Gardening, etc.*, by G. H. Agricola, M.D., and Doctor of Philosophy at Ratisbonne. Translated by Rich. Bradley, F.R.S., London, 1721.

Careful to omit none of the suggestions contained in the book's directions, he prepared with mummy and planted in like manner young plum trees with their roots in the air, roots of trees with neither twig nor bud upon them, leaves of oranges, laurels, etc., and watered the whole plantation so plentifully that the ground became paste. Having heard of the efficacy of soap under similar circumstances, he, in addition to all this, took some cuttings of vines, yew, pear, etc., thickly soaped the parts which were to be in the earth, planted and watered them as before, and left them exposed to the sun and air. Of the vines dressed with mummy, two-thirds lived, though their leaves dropped off; the pears and arbutus flourished; the plums, though showing signs of decay, survived; the twigs of the peach trees remained fresh and green; the yews died; the bays lingered in life; and the reversed specimens not only lived, but sprouted. Lastly, on digging up the bed in October of the the same year he found, except among the leaves, plentiful evidences of rooting. Thus, in spite of (certainly not because of) all this unnatural treatment, the tortured sticks and leaves survived to advertise, alas, the supposed benefits of a treatment which was violating all the canons of Sense and Science. But in one direction at least Richard Bradley's experiments were not altogether mischievous. The mere fact of thus resorting to scientific aid set philosophic thought in motion. In the preface of the French translation we find that this was actually the case.

"Gardeners," he says, "being only guided by Experience, are seldom led to make any Reflection upon the Principles of their Art, the knowledge they have is for the most part Historical, and is wide from the cause of what they see. They sow Grain in the Earth, and when it is reaped and carried away, they know the Ground must rest, or be amended by some sort of Manure. The seed grows, if the Ground is good; but how does it grow? and in what degree, or by what means, is this Vegetation produced? This would be too much to ask of them, and the very Question would be lost. They plant a Tree, as their Master did before them; but might it not grow better, if they were to follow some other Method? Would not Nature work with more Facility in her operations, if by studying her Laws we were to take necessary Precautions to ease her in her Works? But their Studies are not to that Extent. They act

agreeable to the Practice they have seen, and the old beaten Road they have been bred up in stands them in lieu of Reason.

"On the other hand, Philosophers often want the Experience of the Gardener; many of them forge Systems in the Air, upon which they build abundance of specious Reasonings, but have nothing solid in them, because they are not founded upon the true Basis of natural knowledge which is Experience; it is therefore no wonder if many of those speculative systems fall into Mistakes. We may compare them to enchanted Castles founded upon Magick, which have nothing real in them, and vanish in Smoak, in the very instant when we should admire their Beauties."

True enough was every word of this. From the days of Dr. Agricola to those of Liebig, Practice has called on Theory for assistance, and failed because in the very action of calling there lurked the seeds of failure. When at length Practice joined hands with Theory, and Gilbert and Lawes employed the services of both, a beneficial influence henceforth fertilised the soil and eased the labour of the husbandman. Let us then close this book of Dr. Agricola's, for it would be useless to seek further in a "system forged in the air" for any practicable information on vegetable life; but, at the same time, let us render both to him and to Bradley the praise which all pioneers of a new science deserve of posterity, even though their best efforts resulted in temporary disaster to the cause they sought to serve.

There was one circumstance in the manner both Agricola and Bradley handled their subject which was worthy of imitation by all specialists. To discuss plant life as though it were human, to treat of the birth, the life, the distempers, and the death of trees, was to bestow upon the sciences of botany and arboriculture that reverence which all teachers should feel for the objects in which they are specially interested.

Dr. Agricola carried his enthusiasm beyond the bounds of sober reason when he spoke, not only of the possible resurrection of trees from their ashes, but their ultimate destination in paradise. Still, the idea that there is some immortal germ in the vegetable economy answering to the soul in ourselves, contained amidst all its grotesque extravagance the true secret of germination. It had, too, the glamour of classical precedent.

Campanella[1] had allowed sense to plants as well as to beasts. Du Val, a Doctor of the Faculty of Paris, who had scouted such wild reasoning, went so far as to assert that the Latin writer had sought to endow plants with capabilities of reason and understanding. The advanced botanical knowledge of the present day would, however, cede a considerable amount of latitude to the ancient theory that plants have their sympathies and antipathies. So that, after all, it is only a question of degree how far Campanella and his disciples, Bradley and Agricola, erred in over-estimating the sentient faculties of vegetables and trees.

In another work entirely composed by Bradley we find this author groping after scientific truth in a manner singularly intelligent and effective for one at this early period. He seems to have collected together all the botanical and chemical information that he could lay hands on, and, after careful sifting, to have deduced his own conclusions. Thus, for example, in testing the theory of Melphigius on the circulation of sap, he finds that the roots of plants kept in water will suck up nourishment and grow; and that trees, when tapped, yield considerable moisture; whence he deduces the conclusion that sap circulates the nourishment derived from the soil throughout the vegetable economy.

In the various methods for the fertilisation of the soil we shall find him stumbling feebly but surely along the right track. "The whole secret of multiplication," he says, "consists in the right use of salts. A Field might be sown every year, if we restored to it by Stercoration what we take from it in the Harvest, and there is no doubt but we might draw from our Ground an immense Profit, provided we assisted Nature by Art."[2]

Bradley had read some of the French agricultural works. He remembered that Palissy had demonstrated that "Salt is the principal substance and Virtue of Dung;" and that De La Quintaine had written, "There is for certain in the Bowels of

[1] Campanella, lib. 3, *De sensis rerum*, cap. 14.

[2] *Curiosities of Agriculture and Gardening*, p. 121. R. Bradley, 1707.

the Earth, a Salt that causes its Fertility; and this Salt is its only and true Treasure. What it loses of this Salt, by the Production of Plants, must be made good. For properly speaking, 'tis only its Salt that diminishes."[1] This same author recommends, therefore, the application of all varieties of stuffs, linen, flesh, skins, bones, horses' hoofs, dirt, urine, excrements, wood of trees, their fruits, leaves, ashes, and *all sorts of seeds*, which last specific it is hoped the practical farmer who loved not weeds would have been too wise to adopt. By the application of such waste products of human industry, De la Quintaine, and Bradley after him, imagined that "the Earth, to use the Term of Philosophers, becomes impregnated with 'nitrous Salt,' which is the Salt of Fruitfulness." Bradley therefore recommended the farmer to collect together all the old rubbish upon which he could lay hands. The bones were to be broken, the other substances cut in pieces, and all separated out according to their degree of softness into three casks, and saturated with rain-water for terms varying from four to eight days, according to their supposed solubility. The solid matter was then to be thrown away, and the impregnated rain-water, supposed to contain the nitrous salt, to be retained for use. If the enthusiast Bradley could have realised all the precious manurial compounds of calcium and phosphorus he was thus wasting only for the sake of retaining a weak solution possessing alkaline attributes, he would have used the solid refuse and thrown away the liquid. Had the analytical chemist learned from the husbandman the wonderful fertilising results obtained by dissolving some of Bradley's bone rubbish in sulphuric acid, the supposed miraculous properties of nitrous salt would have had to cede their importance as manures in favour of superphosphate of lime. Even though Bradley, in describing a solution of saltpetre as a good source of the "nitrous salt," had stumbled on to one of the nitrates, he was very far from recognising its importance as a vehicle by which nitrogen could be placed in a form which could be assimilated by plant life. His suggestion that hoofs possessed fertilising

[1] *Treatise of Agriculture*, Part II. ch. xxii.

effects proved that the farming world was unconsciously alive to the value of ammonia, but there was of course no possibility of extracting and retaining this volatile gas by merely soaking substances containing it in rain-water for a few days.

In fact, his scientific knowledge was neither more nor less than that of Houghton, who fifty years before wrote an article on Hair, in which he stated that "it is of the nature of hoof and horn both for physick and land. Sowed on dry land it makes it very fruitful for 3 years, and so again if repeated. This custom with horn, hair, hoof, and raggs (which is wooll) reaches several places, and I hope all, in time, will mind what I say to their incredible advantage."[1]

When we suggested that it was first the office of the farmer to point out his wants to the chemist, it was presupposed that the latter was sufficiently master of his science to be capable of supplying them. We shall now see that this was far from the case. It is indeed open to doubt whether, as regards practical results, the chemistry of Bradley's time was in advance of that of the ancients. Stercoration, or the method of restoring to soil its exhausted fertility by means of the dunghill, was known to the Greeks, who dated the origin of this process to the utilisation on the land of the immense quantities of refuse manure from the Augean Stables. The Italians, for his services in a similar direction, had deified their king Stercutius. The waste products of the farmyard, the house chimney, the dovecote, and the highway had from the earliest times been recognised as valuable to vegetable growth, and all that the chemist had so far achieved was to strive unsuccessfully to trace the fecundating virtures of all manures to one common source. This was the Sal Gemmæ of the ancients, the Θεῖον of Plato, the salt which by Mosaic law seasoned the oblations, the chief object of affection to the gods of the Greeks, and the principal ingredient of the alchemist's crucible. "What do you think," says Glauber, "that the Philosophers meant by their Mercury; which at once is Male and Female; fixed and

[1] *A Collection for Improvement of Husbandry and Trade*, No. XI. vol. v. Nov. 9, 1694.

volatile; light and heavy; dry and moist; soft and corrosive? Under this Riddle they describe Nitre to us."[1] And when the mad quest of the philosopher's stone was superseded by more intelligent research, nitre occupied a foremost position in the analyst's laboratory. Its uses were still described in wild and extravagant terms, being the "secret menstruum," the "balsamick Liquor for the Multiplication of Corn and Vines, which ascends from the abysses of the Earth into the regions of the Air, from whence it descends impregnated with the Siderial Influences, and diluted in the Waters of Rains, of Snows, and of Dews to give Fertility to the Earth." Bacon recommended it as a source of increased fruitfulness to plants, and Boyle, after indefatigable toil and application bestowed on its analysis, decided that no minerals, plants, and animals could subsist without it, and that there was no more catholic salt in nature. It was both volatile and fixed, acid and alkaline, "changing its figure under Analysis like a Proteus," even when Boyle was holding it "bound in the chains of his Chemical operations."

In Bradley's opinion nitre and saltpetre were identical, their only difference being that the former was a less pure form of the latter. He confused both with the compounds of calcium found as a coating inside lead water-pipes. To him, as well as to Palissy, Cosmopolite, Paracelsus, and De la Chambre, there was but this one manurial agent. The learned societies of France, England, and Germany[2] recognised the nitrous salt in the fertilising essence of Nile water, dung, snow, rain-water, and other real or imaginary manures; and the whole scientific world extolled in extravagant terms the virtues of a compound the true nature of which it had as yet failed to grasp.

Experts of the eighteenth century treated as valuable legacies the errors of a classic age. Bradley shared Pliny's ignorance in attributing to wine the virtues of invigorating

[1] *De Mercur. Philosoph.*, sect. 68.

[2] Such, for example, as the Royal Society of England, the German Academy "Curiosorum Naturæ," and the Fathers of the Christian Doctrine in France.

vegetable life;[1] and though he rightly concurred with Virgil in associating with lees of oil the qualities of a manure,[2] he could give no better explanation for this phenomenon than the Latin poet. On a par with such defective sapience were the wonderful results of cereal growth obtained by a learned society in Paris by experimenting with the essence of the heliotrope or sunflower.

Amidst all this obscurity there were occasional gleams of coming light. Homberg had proved the salutary effects of potassium and nitrogen on plants by his experiments with cresses grown in a weak solution of saltpetre. Sir Kenelm Digby had enunciated a truth when he gave the preference to the manurial effects of rain-water over those of common water.[3] Yet it was impossible for him to have realised the true virtues of the nitrites and nitrates which the dew and cloud contain. Indeed, before the discovery of oxygen, analysis and synthesis were deceptive and unreliable processes. All the niceties of the modern chemical nomenclature resulted from the discovery of this gas; and the subtle distinctions between the terminations "ous" and "ic," "ite," "ide," and "ate," helped to codify the various chemical compounds in a manner intelligible to the ordinary human understanding.

Such being the scanty outcome of all the scientific learning of the time, can we hope to find better results when we turn for information to the empirical wisdom of the eighteenth-century husbandman?

Typical of this class was Jethro Tull, whose wide mind was capable of realising how much scientific experiment could assist that industry in which he was specially interested. He had therefore put to the drastic test of practice the various theories of Richard Bradley, and thus convinced himself of their futility.[4] As far as actual examination could teach him,

[1] "Docuimus etiam Arbores vina potare."—Plin., *Hist. Nat.*, lib. 12, cap. 1.

[2] Virg., *Georg.*, lib. 1.

[3] "Sir Kenelme Digby presented every one of us his *Discourse of the Vegetation of Plants*," writes Evelyn in his *Diary*, Aug. 9th, 1661.

[4] *Horse-hoeing Husbandry*, etc. Jethro Tull.

he had learned the true economy of vegetable life. He had found that the first seed roots of corn die as soon as the other roots above the grain come out near the surface. He had measured the lengths of various farm plants, and he had a very fair notion of the damage done by setting roots too low or too high in the soil. Plants, he declared, had no stomach like the animalia, and must therefore go and fetch food for themselves instead of having it supplied like beasts and human beings. Roots are the intestines of plants, and have their mouths or lacteal vessels opening on their outer spongy superficies. These take in food just like the animal lacteals by means of pressure, and this motion is sustained by the increase of their diameters in the earth. By the agency of the stalks and leaves the vegetable economy discharges its superfluous matter into the atmosphere. Air, he says, is most necessary for the tree above ground to purify the sap by the leaves, as the blood of animals is depurated by their lungs. Now Bradley had alleged that air is part of the food of plants, and here Tull's ideas were at variance. The latter was accurate enough so long as he confined his remarks to roots. He had enunciated an important truth when he suggested that the office of the leaf is to discharge the superfluous matter into the atmosphere; but he would not concur with Bradley in ascribing to the air a share in the materials of vegetable food. We know now that the green matter of the vegetable economy in the presence of sunlight is capable of setting free the constituents of the atmosphere, and that it can release the oxygen while it retains the carbon of a gas, which might otherwise render the air we breathe unsuitable for human health. Water and air were then, by Tull's showing, merely the vehicles for conveying food into the vegetable economy, while the earth, under the influence of nitre and other salts, comprised the food itself. In this last respect the practical Tull was, speaking generally, in accord with the theoretical Bradley. The latter had said: "The Salts with which each Grain of Corn is impregnated are not precisely destined for the Nourishment of this numerous Race (plants). Their first Action is to cut the covers that infold and wrap up the several

Sprouts that are contained in each Grain to the End they may dilate and unfold themselves. The second Action of these Salts is to serve each Grain of Corn, as it were, instead of a Loadstone, to attract the Nitre of the Earth, which the Subterranean Fires have reduced and driven into Steam and Vapours in the low and middle Region of the Air for the Nourishment of Vegetables and of Animals." But to Tull, who had often walked into his fields and tracked the roots of plants throughout their ramifications in the soil, the idea about the loadstone was untenable. Here, in fact, occurs one of those numerous instances where theory is set right by practice; and it is well to be sceptical of results whenever we find the one unsupported by the other.

Tull was by nature inclined to exaggerate the importance of the mechanical factor in vegetation, and to under-estimate the chemical. Considering the obscurity which pervaded the atmosphere of the laboratory at this period of history, and the wild and fallacious doctrines which emanated from the analyst's crucible, it was perhaps as well for agriculture that he had this predisposition. Unfortunately it ultimately induced him to discard the use of all fertilisers, and to trust entirely to mechanical means in the system which has made his name so famous. "Plants differ," he says, "as much from one another in the Degrees of Heat and Moisture they require, as a Fish differs from a Salamander." "Our Earth," he says in another place, "when it has in the Stove the just Degree of Heat that each Sort of Plants requires, will maintain Plants brought from both the Indies." But when he discusses the effects of a manure on plant life, it is only to point out its defects. He praises the action of florists in excluding dung from their flower gardens, and wishes to prohibit its use in the kitchen garden as well. Because the carrot bred on the dunghill has not the same sweet relish which the field carrot affords, he adopts the extreme view that all vegetables are best without any manure at all. It encouraged worms, bred vermin, harboured the seeds of weeds, and emitted effluvia injurious to animal life. If used at all, it should be allowed to rot sufficiently long as to get rid of its

salts by means of fermentation. "The fermenting quality of Dung," he says, "is chiefly owing to the Salts wherewith it abounds; but a very little of this Salt applied alone to a few Roots of almost any Plant will (as in my Mint Experiments it is evident common Salt does) kill it." His association of all kinds of salts with chloride of sodium (with a saturated solution of which he had contrived to destroy more than one species of plant) shows how very superficial was the chemical knowledge of the time. Tull did not go so far as to suggest the entire exclusion of dung from the farm. Common tillage alone was not sufficient, he said, for many sorts of corn, especially wheat. But few fields could obtain a sufficient supply of this manure, save those near cities. It was, he admitted, a source of warmth to plant life, though it was difficult to decide whether the process of fermentation continued long enough to produce on this account other than temporary benefits. In the cultivation, however, of pastures and turnips, the results of this author's experiments had induced him to give up the use of dung entirely.

The outcome of all such ideas as these was to lead Tull to decide that the chief advantages of dung were its mechanical effects, such as heat and attrition brought about by its fermentation. These were, to his mind, almost entirely counteracted, partly by its being unattainable to any adequate amount, partly by the various disadvantages enumerated in the discussion of its use in the flower and kitchen garden. The question therefore arose: "was there any equally effective substitute?" which Tull thought was answered in the affirmative by a description of his horse-hoeing process. To break and divide the seed-bed by means of tillage was to open up to the roots of the plant that inexhaustible supply of nourishment which insufficient dung would fail in supplying. "Every time," he says, "the Earth is broken by any sort of Tillage or Division, there must arise some new Superficies of the broken Parts which never has been open before." The small modicum of truth in such reasoning militated against any immediate revelation of its ultimate failure. The light soils of Norfolk have long ago been so "clover sick" that it is useless for the

farmer to expect any profitable results from this crop if sown oftener than once in sixteen years. Not even the application of the later invented subsoil plough could prolong the advantages which Tull's process was expected to render permanent. His exaggeration of the fertilising importance of his mechanical system was, however, destined to be attended with beneficial results to agriculture. The introduction into the turnip-field of the horse-hoe and the seed-drill as assistants to (not substitutes for) manures were as advantageous to the husbandmen as were, later on, the magnificent failures of Liebig in the laboratory. The invention of more or less clumsy implements by Tull, the amateur, ultimately attracted the intelligent brains of engineering experts to the subject, just as, no doubt, the chemists of the nineteenth century were attracted to agricultural research by a study of the wild theories current in the century before.

Full as the time was of promise for European agriculture, when practical men resorted to science for information and scientific men turned to nature for an object of research, it was fraught, too, with danger; for the husbandman ran no small risk of becoming so disgusted with the fallacies and mistakes of science, as to be induced to repel in future all overtures of help from so suspicious a quarter.

In *Essays relating to Agriculture*, a work already alluded to by us, its author, James Anderson, has laid down many excellent rules on sound, practical husbandry.[1] "With an ardour natural to the impetuosity of youth," he engaged, he tells us, in a study of his chosen profession, and turned to Science for an instrument whereby to help forward his arduous undertaking. "By consulting such authors as fell in his way, he soon found himself deeply involved in intricate physical discussions about the pabulum of plants, the influence of salts, oils, and acids, and many other such substances, of which he could form but a very vague and indeterminate idea, so as not to be able, with certainty, to perceive the full force of such arguments as were adduced by these authors in support of their favourite hypotheses."

[1] *Essays relating to Agriculture and Rural Affairs.* By a Farmer. (J. Anderson.) 1775.

Unwilling to be instructed by halves, and not to be baffled without a further struggle, "he applied himself," he next tells us, "with diligence to acquire a knowledge of those sciences that seemed necessary to be attained before he could peruse these authors with profit." He was extremely mortified to find that "almost all these writers were equally ignorant of the real qualities of the substances, whose names they employed, as he himself had been, and that each having formed in his own mind a vague and indeterminate idea of some imaginary substance, endowed with as imaginary qualities, modelled by his fancy so as exactly to suit the hypothesis he had assumed, gave to it the name of salt, oil, acid, or any other that chanced first to occur to his imagination, and then employed it on all occasions to explain every difficulty that might occur with regard to the theory or practice of Agriculture." Tired at length with repeated and fruitless endeavours to attain useful knowledge in this way, and disgusted with the nonsensical jargon that he was obliged to read, he, in a sort of literary apathy, threw aside his books, and resolved to disengage his mind from theoretical reasoning as much as possible, and "with an unprejudiced sincerity of intention attend to practice alone as the only sure mode of instruction."

Thus had Practice turned for help to Science and been repulsed. She had asked for bread and she had received a stone. The analytical chemist of the age was steeped to the lips with error. Still, under the influence of the alchemist school, he shrouded the discovery of any fresh truth with mystical verbiage. Almost the only, certainly the chief, reagent of his laboratory was fire; and it was long before the malodorous messes which bubbled up and over the sides of his crucible were to be replaced by the intelligent synthesis and analysis of acid and test-tube.

Leaving, therefore, the philosopher to pursue his sublime speculations, our disappointed author looked around to see if "in the more humble walk" of *practice* he could assist that industry whose welfare he held so dear. He noticed how isolated the husbandman was, how difficult it would be to get at him, how easily he might neglect to profit by an invention

or discovery unless effected under his very eyes. Such circumstances induced him to publish in book form, as Weston had done before him, a concise view of all those objects that ought to demand the farmer's attention. Under three general heads he reduced the requirements of the agricultural world as follows:—

(*a*) "The knowledge of the different properties of all the plants that can be raised by the farmer, the different uses to which these can be in any case applied, and the most economical method of consuming or otherwise disposing of them.

(*b*) "The knowledge of the nature and distinguishing qualities of the different animals that may be kept for carrying on the various operations of agriculture, and of those that are reared for the purpose of consuming these plants; and the proper method of treating the varieties of these, so as to make any one kind of food on all occasions produce the greatest possible effect.

(*c*) "The knowledge of soils, the way of manuring and cultivating them so as best to fit them for rearing such valuable plants as it may be most beneficial for the farmer to rear."

No agricultural author could have placed his wants in a more concise form. Here in a nutshell were contained the requirements of the entire farming world. After thus publicly advertising for scientific assistance, the next step rested with the chemist. Swift's sentiment, "that whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before, would deserve better of mankind, and do more essential service to his country than the whole race of politicians put together," was known, quoted and applauded.

Another writer of this period was calling on the physician to use the leisure spared from raising wholesome food for the preservation of health, and from cultivating herbs necessary to cure disease, in improving manures and adapting plants to proper soils. "For," he adds, "though a dunghill cannôt just be weighed out in scruples and grains, and a plough cannot be yoked in an earth pot, yet experiments with these, though

not so much in form, will be as much depended on by a farmer." [1]

In equally plain language an appeal was in print for the use of the engineer if only he cared to study it:—

"Perfect mechanics," Young, in his *Political Essays*, declares, are "of vast importance; for notwithstanding the opinion of some politicians, that the invention of those machines which, with slight labour, perform the work of a thousand hands is prejudicial to a State, too much reliance should not be placed on it." Evidently this writer desired to attract the eye of the implement-maker when he wrote that there was considerable room for improvement in the instruments of cultivation already in use. In the plough, for example, the directions in which improvement should move, he says, are "depth and levelness of cutting, combined with ease of draught." For these qualities the Suffolk plough seems to have been better adapted than the Rotherham. Varieties of the instrument were wanted to cut more than one furrow at once, to make the drills under Tull's new system, and to cut drains and ditches. Horse-hoes were apparently good enough; not so harrows, which varied in shape and construction in almost every county. The best this writer had seen was one with bent teeth, and handles like a double-breasted plough. All, however, had a material defect in that, if the land were not ploughed exceedingly fine, frequent repetitions of the process were necessary, "which kneaded and hardened the earth by so much treading of the draught cattle, instead of leaving it loose and fine." The chief requirement was a harrow which would with once going over the land reduce "all the clods on the surface to powder, stir the ground enough to cover any seed, and with sufficient force to at the same time stir up the spots flattened by the feet of the cattle, leaving the surface fine and level. Possibly such an implement might be framed upon the principle of horizontal wheels, which would grind the clods turned up by its perpendicular teeth."

A machine for threshing corn was wanted as a substitute for

[1] *A Dissertation on the Chief Obstacles to the Improvement of Land*, etc. Aberdeen, 1760.

the clumsy methods then in use by means of hand-flails. A range of flails fixed on one side of the threshing-floor, worked by machinery from behind, and kept in motion by a horse as in a mill, with space enough in front for men to move about and lay the corn under the flails with forks, would be the direction in which the inventor should exert his skill. A machine for digging earth and throwing it into carts was a suggestion which contained in embryo the modern appliance known as "the steam navvy." The author's idea was one that should rest on four small wheels, for the convenience of moving. The fall of a beam like that used in oil mills might be utilised so as to strike into the earth a very large spade; "the first motion to cut the shape of the piece to be raised; the second, to fix the spade to it; the third, to raise it a little above the cart; and the fourth, to strike it in. Thus in the space of a minute four or five repetitions would load a cart of the ordinary size, and greatly expedite the labour required in marling, claying, or otherwise manuring large tracts of land." [1]

Let us examine more in detail than we were able to do in a former chapter how far the implement-makers of the period responded to this call for assistance by the husbandman of a hundred years ago. In a wonderfully complete treatise for the *Journal of the Royal Agricultural Society* of 1892,[2] Mr. Pidgeon has told the story of the Evolution of Agricultural Implements. About the middle of the seventeenth century Walter Blith had described a double-furrow plough, and nearly one hundred years later Ellis, of Hoddesdon, had perfected Blith's ideas by inventing a similar implement, which met with the entire satisfaction of Arthur Young, and which was rendered still more effectual by the designs of Lord Somerville and the ploughwright, Handford, early in the present century. The Earl of Stair introduced the Dutch plough in 1730, which was almost immediately improved by Stanyforth and Foljambe, and became known as the "Rotherham plough"—the same alluded

[1] *Political Essays, sub voc.* "Agriculture." A. Young. London, 1772.

[2] *The Evolution of Agricultural Implements.* By Dan. Pidgeon, Assoc. Inst. C.E. *Journal of the R.A.S.E.*, 3rd series, vol. iii. parts i. and ii., 1892.

to by Young in his article on Agriculture in the *Political Essays*. This in its turn gave place to the "Scotch swing plough," invented by Small. The iron plough came into use later on in the century, its share being first tempered by Ransome in 1785, and then chilled by the same engineer nearly twenty years later. The "turnwrist plough" is found soon afterwards in fashion, and other improvements in this species of agricultural implement quickly followed suit, all of which were to be partially superseded by the application of steam power. It would seem as though all implements of this description required a driver to walk with the horses as well as the ploughman; for Mr. Thomas Robins, by accomplishing the feat of ploughing 442 acres *single-handed*, obtained a prize of a silver cup from the Bath Agricultural Society in 1784.[1] This same year the Committee of Agriculture in the London Society of Arts utilised an invention of Mr. Samuel More, its secretary, in order to test the force necessary to draw the various ploughs then in use. Arbuthnot's plough was found to be better than either Brand's, Duckett's, or the Rotherham variety; but the second-named inventor received a bounty from the Society, as parts of his construction could be applied with success to those corresponding parts of Arbuthnot's where the mechanism was found to be defective, and a more perfect contrivance made thus than was turned out separately by either of the two makers.[2] In a similar manner we might go on to treat of the rapid progress made in various forms of digging, cultivating, harrowing, clod-crushing, rolling, seeding, harvesting, stacking, threshing, winnowing, and grinding machines, most of which, however, remained rude and unwieldy constructions, until well on in the present century. The author of *Political Essays* mentions, in a footnote to his account of farm implements required, the fact that a threshing-machine had already appeared. This was probably that form of it invented by Michael Menzies, and described in the *Gentleman's Magazine* for 1735. Though a failure, it paved the way for ultimate success. Alderton, observing

[1] *Annals of Agriculture*, vol. iii. p. 50. 1784.
[2] Id. *Ibid.*, vol. i. p. 118.

that an ear of wheat, when squeezed between two blunt edges, causes the grain to be spurted aside, invented a threshing-machine in which this phenomenon was utilised. Failure again attended the venture; but, nothing daunted, the implement-makers of the period redoubled their efforts, until success was ultimately achieved. At first, at any rate, the mechanician outstripped the chemist in the speed with which he responded to the agricultural wants of the age, though ultimately the one was destined to be as great a benefactor as the other. So far as has been now pointed out, the political economist, the man of science, and the civil engineer were all aroused to direct their services to the improvement of the national husbandry. When next we revert to this branch of our history, we shall find that chemists were on the eve of revolutionising by their fresh discoveries the entire agricultural economy.

## CHAPTER XIV.

### THE LABOUR QUESTION.

ALTHOUGH a revulsion of public feeling with regard to the condition and uses of the poorer classes had not, at the time of which we have been writing, been brought about by the more philosophical views soon to be entertained on public wealth, still the welfare of the rural population was beginning to attract the attention of much literary talent. "If we cast our eyes over the several nations of Europe," says Arthur Young about the middle of the century, "and compare them with our own, we shall find that nowhere has there for many ages been such constant attention to this object (population) as in England."[1]

When we relinquished the subject of poor relief in the first part of this work,[2] we had carried its history down to Elizabethan times. Thence, up to the period now reached, the legislature had done little more than consolidate and amplify the Acts passed by Tudor statesmen.

Further powers from time to time were allowed for the building of houses of correction,[3] and for the lodging, feeding, and employment of paupers. Frequently during this period defects in the Elizabethan statutes had been brought to light and remedied. The spirit of these laws was to render each centre of poor relief self-supporting, but the letter had from faulty wording defeated this purpose. The unemployed, naturally anxious for some means of subsistence, wandered about in search of work, finally settling down, or attempting to settle down, in parishes where there happened to be the

[1] *Farmer's Letters*, Letter viii. A. Young.
[2] *Landed Interest*, Part I. p. 244. [3] 7 Jac. I. c. 4.

largest commons for them to build cottages upon, and the most woods for them to obtain their supplies of fuel from.[1] In this way relief, primarily intended for the wants of the impotent poor, found its way into the pockets of rogues and vagabonds.[2] These ingenious but useless members of the community frequently concealed themselves for some time in the village of their selection, and when discovered claimed those rights of settlement to which a continued residence for forty days entitled them.[3] To remedy this pernicious practice, the newcomer was compelled to give notice in writing to the overseers of the house of his abode and number of his family. This was posted up on the next Lord's Day directly after divine service in the parish church, and the forty days of settlement[4] commenced from the date of this publication. With such precautions for rendering public the circumstances of each fresh stranger, no individual was likely to obtain legal rights of settlement unless he seemed capable of maintaining himself and his family without recourse to public assistance. The result was that few paupers got far afield before they were forced back to their native villages. Such stringent measures tended to confine many a willing and competent member of society in districts where a congested population gave no opportunities for employment, while just beyond his reach might be some manufacturing parish crying aloud for such assistance as his sturdy arms and legs could well supply. Recourse, therefore, was had to certificates, which were furnished by the parish overseers to emigrants who were likely to be useful for labour purposes in distant parishes.[5] These documents seem to have caused doubts in the official mind whether they constituted the notice in writing required by the Act.[6] At any rate, they were

[1] 13 and 14 Car. II. c. 12.
[2] 13 and 14 Car. II. c. 12.
[3] 1 Jac. II. c. 17.
[4] 8 Will. c. 11.
[5] 8 and 9 Will. c. 30.
[6] The Act of 13 and 14 Car. II. was the foundation of the Law of Settlement. The short clause in it empowering two Justices of the Peace to remove any new comer from the parish, unless qualified for the privileges of settlement, has, says Eden, occasioned more doubts and difficulties in Westminster Hall, and has perhaps been more profitable

thus conveniently construed by their recipients—a state of affairs which once more called for legislative interference. For a time such certificates were only held valid as long as their holders kept free from parochial assistance. This measure was soon found to be too sweeping, and was modified so as to exclude those certificate-holders who, by having taken the lease of a tenement of £10 a year, or executed some annual office under legal appointment, had substantiated a legitimate claim to residence.[1] But this alteration in the law was found to admit to rights of settlement the servant of the certificate-holder or his apprentice bound by indenture, which of course had not been intended, and further legislation became necessary.[2]

The distinctions between the vagrant, the rogue, and the pauper were so small that the poor-rate was often devoted to unworthy objects. The State therefore enacted that those entitled to relief must henceforth wear a uniform, and carry on their right shoulder-sleeve a badge of their poverty, and the initial letter of their parish. Even then it was not uncommon for individuals, who were unable to obtain relief from the usual sources, to apply to a justice, and by some frivolous pretence to obtain from him that assistance which the overseers of the public poor-rates, more accurately informed of their characters, had thought fit to refuse. The legislature again set to work and formulated a scheme since known as "The Workhouse Test," which forbade the justices to administer relief unless an applicant could not only prove that he had been improperly denied it elsewhere, but produce sworn evidence of the reasonable nature of his claims.[3] Also the overseers were empowered to register in the parish book every case of relief, failing which they rendered themselves liable to fines.[4]

The tendency of the executive was at first to enlarge the powers of parish overseers, who were even allowed to purchase or hire houses in their own parishes, and contract with persons for the lodging, maintenance, and employment of their poor;

to the Profession of the Law, than any other point in English jurisprudence.—*Eden on the State of the Poor*, vol. i., 1797.

[1] 9 and 10 Will. c. 11.
[2] 12 An. st. i. c. 18.
[3] 9 Geo. I. c. 7.
[4] Id. *Ibid.*

and in cases where one parish was too small, the representatives of two or more parochial divisions might unite, and purchase or hire a poor house for the wants of their combined poverty. In George II.'s reign[1] the relief of poor prisoners in the Marshalsea, houses of correction, etc., hitherto raised by separate collection, was put on the general county rate.

Towards the end of the last century the provisions for pauper relief had reached gigantic proportions. Young describes it "as so prodigious a tax that it might fairly be pronounced to be the most oppressive grievance under which the subject in England groans." It seems to have been universally unpopular, both on account of defects in its machinery and disappointment at its results. "The law is vague, doubtful, and perplexed," says Young; "the assessment is unequally and in general ignorantly laid, and all appeals from it are, in other words, nothing but plunging into that dreadful abyss, the——."[2]

The increased powers allowed by recent laws to the overseers had no doubt been abused; and Young points out that, where parishes consisted partly of lands and partly of houses, the interests of the landholders and householders had become divided.[3] The latter, by means of a majority of votes, secured their own churchwardens, and the justices (both county as well as borough) took the recommendation of these officers in their nomination of overseers. The result was that "mean, unsubstantial fellows" obtained appointments originally intended for the well-to-do householder, who vented their spleen on all the respectable landholders of the community by laying the burden of the poor rate on real property. As we have shown in an earlier portion of this history, and as Young at this period expressed it, the law originally intended "that personal estates, in or out of trade, or annual incomes should be rated." "A gentleman," says Young, "possessed of a landed estate must in consequence pay several parochial taxes, for he is rated for the house or houses he lives in in town and country, and his tenants are

[1] 12 Geo. II. c. 29.

[2] *Farmer's Letters*, ch. viii. A Young.

[3] Young quotes from *A Short View of the Frauds, Abuses, and Impositions of Parish Officers*, Fonnereau, p. 9, 1744.

rated for his farms, which is precisely the same thing as if he was to pay all instead of them, for his rental is lessened in exact proportion to their rates, but yet he has an income of five hundred pounds a year, for instance, and lives at a distance from his estate. What injustice would it be to rate him for this income? He would evidently pay twice; nevertheless, he is open to this injustice, for if a man has the *income*, no matter from whence it comes, it is rateable." "If a farmer," says the same author a little further on, "occupies a farm of £100 a year, he is rated according to the real rent of his farm to the poor, and he pays the tithes of the produce of his lands and labour to the parson, and is rated besides to the repairs of the church, etc.; he is made to bear the heat and the labour of the day, and all the while can get but a bare subsistence for himself and family, whilst a shopkeeper, in a house of £10 a year, shall, on the profits he makes in a parish, get more money, and maintain as large a family, and be liable to pay no more than one-tenth of what the farmer pays. At 4*s.* in the pound the farmer, on his £100 a year, at the rack rent pays £20 a year to the poor's rates; the shopkeeper, on his house of £10 a year, should by that rule, exclusive of stock, pay £2. But the shopkeeper's house of £10 a year shall be rated at but a quarter of its rent, viz., at no more than £2 10*s.*; where the shopkeeper, therefore, pays one shilling, the farmer pays forty."

Unfortunately for the Landed Interest, Young made his plaint at a time when the public ear was captivated by far more selfish doctrines. Let us recall to the reader that Locke had denied the use of trying to make any one else pay taxes except the landlord; that the physiocrats had said, "Out of the land comes all a nation's wealth, so out of its owners' pockets should naturally come all a nation's expenses;" and that the free-traders had said, "If the rest of the community be prosperous, the landlord also must, and therefore let us withdraw the bounties on exported wheat." It was certainly not for the merchant and manufacturer to gainsay theories so delightfully sparing of their own purses.

But the abuses practised by the parish officer in the collection and distribution of the rates had frequently attracted

attention both before and after Young's vigorous expostulation. Public notice, therefore, had to be made of any new rate,[1] and careful accounts produced annually.[2]

It is both interesting and curious to find how that which was in monastic times within the special province of the ecclesiastic gradually lapsed into secular hands. When we broke off our historical sketch of pauper relief at the termination of Elizabeth's reign, the curate, minister, or reader, with the churchwardens, were joint-overseers of the poor. Sunday was the date, and the church was the site of their periodical meetings to discuss the subjects connected with parochial relief. So also in cases where the parish was too large and unwieldy for any effective system, the district was sub-divided into chapelries, whose wardens became *ex-officio* joint-overseers of the poor. The sub-division of parishes into townships or villages destroyed the nexus between churchwarden and overseer. Frequently the former was wanting to the township, whose legitimate head was the constable. Henceforth then the manipulation of poor relief was almost entirely in secular hands, the overseers of each township being appointed, according to 22 Hen. VIII. c. 12, by two justices dwelling in or near the parish. The churchwardens, the first and original overseers, continued still to be overseers; but the subsequent appointment of collectors, and then of *their* overseers, gradually diminished what was primarily an exclusive right, until we find the churchwardens a minority in the larger body, composed of themselves and four subsidy men, whose combined office it was to oversee the poor. Such a process of watering down the authority of the churchwarden hardly seems to have answered. Probably the abuses pointed out by Young were principally owing to this circumstance. At any rate, the legislature reduced the number of officials, and combined the office of collector and overseer in the person of one substantial householder, so that the churchwarden regained much of his earlier importance in poor-law administration.

But the greatest defect in the system thus evolved from centuries of legislation has yet to be recorded.

[1] 17 Geo. II. c. 3. [2] 17 Geo. II. c. 38.

The magistrates in quarter sessions were sole arbiters of the prices of industrial remuneration. Being the chief employers of rural labour, it was their interest to reduce wages to a minimum. For though in so doing they increased the numbers of destitute poor, and thereby the poor rate, yet the contribution, which as occupiers of land they were compelled to pay for pauper relief, was small in comparison with the large benefits they derived from cheap labour. In the towns, however, the occupiers of houses and lands who did not employ labour were grievously handicapped by this heavy impost. Consequently throughout the seventeenth century wages were low and prices high. "I can conceive," says Thorold Rogers, "nothing more cruel—I had almost said more insolent—than to condemn a labourer to the lowest possible wages on which life may be sustained by an Act of Parliament, interpreted and enforced by an ubiquitous body of magistrates, whose interest it was to screw the pittance down to the lowest conceivable margin, and to inform the stinted recipient that when he had starved on that during the days of his strength, others must work to maintain him in sickness or old age." [1]

It is, therefore, no surprise to find that numerous schemes for reforming the entire machinery of the poor laws were in existence. In the severity of their provisions against theft and mendicancy they were in excess of anything in force abroad, yet thieves and beggars were far more common in this country than on the Continent. It was not that there was anything really objectionable in the provisions of the great English poor law known as 43 Eliz. c. 2, but its execution was defective and capable of being abused. The kingdom had been so minutely sub-divided for purposes of poor-law administration that instances were frequent where all the parochial funds were wholly inadequate to cope with the prevailing distress. As a consequence of such infinitesimal division, the chief authority was relegated to the hands of petty officials, who abused their powers by favouritism and time-serving.

The union system had been introduced by 9 Geo. I. c. 7, but

[1] *Six Centuries' Work and Wages.* T. Rogers, p. 425.

long before this Lord Hale had advocated a scheme whereby the justices of the peace should be directed to amalgamate several parishes into one district, in which a common workhouse should meet the wants of their united poverty. He also proposed that the churchwardens and overseers of each parish should be compelled to bring their several rating lists to the sessions so as to enable the justices to assess for a term of years two separate sums, the one for permanent, the other for temporary measures of poor relief.

Hale's workhouse principle covered, however, not only what we understand by this term, but also the establishment, under the same roof, of a hospital, industrial school, and house of correction, by means of which the old and sick could obtain the benefits of nursing and medicine, and the young and strong be taught a useful trade.

Sir Josiah Child would have gone further in the direction of centralisation than Hale. He suggested the entire abolition of the existing poor laws, and that in their place should be formed throughout the whole of England large districts controlled by societies. Members of these State-incorporated bodies would become the "fathers of the poor" in their individual district, and their powers would be so plenary as to include the erection of workhouses, hospitals, and houses of correction, the disposal of superfluous poverty by a method of enforced emigration, and the absolute control of all funds, whether paid compulsorily or voluntarily. Under them were to be the existent churchwardens and overseers, upon whose details of information they would base their proposals of relief. Finally, they were to be endowed with judicial powers little short of those possessed by the justices of the peace.

Numerous other suggestions were put forward about the beginning of the eighteenth century, all more or less advocating a centralised method of pauper relief. Cary, for example, in 1700, proposed that each county should be laid out into one or more districts, and administered by all the justices of the peace. Hay's suggestion was somewhat similar.[1] He wanted large districts administered by twelve guardians, whose quali-

[1] *Burn on the Poor Laws*, pp. 135–175.

fication should be the possession of landed property within the district. He differed from Cary in desiring that the guardians should be elected by the entire body of the ratepayers instead of by the freeholders only.

Alcock, in 1752, suggested a resort to the supposed pre-Elizabethan practice of voluntary poor relief, but doubting the possibility of his own remedy, proposed, as an alternative, a somewhat similar system to that of Lord Hale. The most practical, perhaps, of any suggestion was, however, that of Baron de Maseres, in 1772, for establishing life annuities in parishes for the benefit of the poor. It was adopted in a Bill brought before the House of Commons, passed successfully through three readings, but was rejected by the Lords.

The proposals of these last two reformers were probably prompted by a desire to replace the increasingly unpopular workhouse system by some method more palatable to the pauper. Soon after the passing of 9 Geo. I. c. 7, many parishes had carried out their powers of hiring or erecting workhouses, and of letting out their poor to contractors. At first the cost of workhouse maintenance proved less than that of the weekly pension system, the result of which was to induce the parish authorities to discontinue outdoor relief, and force their poor into "The House." In vain they changed the obnoxious name of this establishment. It was no longer a Workhouse,[1] but a Poor House, or a House of Maintenance, or a House of Protection, or a Bettering House. Unfortunately, under each fresh guise, it continued equally distasteful to those whose misfortunes reduced them to regard its walls and fare as their last refuge from destitution.[2]

It remained for the patriotic Thomas Gilbert to invent a more acceptable substitute, though unfortunately in thus consulting the feelings of the pauper, he outraged those of the

[1] John Bellers, as early as 1696, in his treatise, entitled *General Essays concerning the Poor*, refused the name as bespeaking too much of servitude, and substituted that of college, which he maintained implies a "general utility without any compulsion or servitude of any kind." See also *Proposals for Raising a College of Industry for all Useful Trades and of Husbandry*, London, 1696, by John Bellers.

[2] *Eden's State of the Poor*, vol. i.

independent labourer, and half ruined the ratepayer. He came under public notice in 1765, by successfully piloting through the Lower House a centralisation scheme of poor relief, which was to form into one union a great number of parishes. It was, however, rejected by a small majority in the House of Lords; but in 1782 he introduced a similar measure, which became law. He was equally successful with a proposal for the better relief and employment of the poor; but failed to carry through a third Bill dealing with the criminal element of the pauper class. To understand this important legislation, now known as the Gilbert Act,[1] we must remember the effects of the legislation of 1723. By 9 Geo. I. c. 7 it was optional for parishes to refuse out-door relief. By this new statute of 22 Geo. III. c. 83 able-bodied paupers were not obliged to enter the workhouses, but were entitled to be provided with work at their own homes. Forthwith there sprang into being a system of fictitious pauperism, which largely augmented the rates; and the workhouses henceforth fell into a state of disuse, being only utilised for the sick and infirm. The full force of this disaster (we can use no milder term) to both ratepayers and poor was not, however, experienced until after the Speenhamland episode, a period of this history not yet reached.

We shall therefore conclude this section of our narrative by placing before the reader a few details illustrative of the condition of and restraints on the rural labourers during these times of high prices and low wages.

No one had as yet gone so deeply into this particular branch of our subject as a certain Mr. Davies, rector of Barkham, in Berkshire, who in 1795 published some most interesting statistics relative to the internal economy of the cottage and dietetics of its occupants, which probably did much to influence the policy of Pitt's administration.

Davies had no objection to the poor laws in theory. To provide for the employment of the able and industrious, the correction of the idle and vicious, and the maintenance of

[1] For a defence of the Gilbert Act I must refer the reader to Mr. Gilbert's own treatise, *Considerations of the Bills for the Better Relief and Employment of the Poor*, etc., etc. London, 1787.

the aged and impotent was, he deemed, an end worthy of any amount of self-sacrifice on the part of the public. But towards the close of the century in which he lived, a growing discontent from both sections of the community had attracted his notice. The rich complained loudly of the great and rapid increase of the poor-rate, and the poor bitterly of the inadequate relief afforded by it. Now Davies attributed this untoward state of affairs chiefly to the increased prices of food. Anxious to learn if the altered cost of necessaries had really brought about this distress, he set himself the task of collecting and publishing a series of statistics bearing on the condition of the rural labourer at different periods of history. He was quite aware that, though a comparison between prices about the middle of the century and at the end of it might show a considerable rise in the value of the necessaries of life, yet, if the relative proportion between the value of both labour and the necessaries of life had remained constant, no increased demand on the poor-rates could have occurred from this cause. On the other hand, if he could ascertain that the relative proportion between the value of labour and of the necessaries of life had altered for the worse, then he possessed a strong argument in favour not only of abolishing the flagitious practice of rating wages according to the statute 5 Eliz. c. 4, but of instituting in its stead a standard, such as the price of bread, for regulating the money value of the labourer's daily toil.

And first, regarding the prices of the necessaries of life at different periods of the century. During its first ten years the average cost per quarter of wheat was £2 3*s.* 5½*d.*; during the ten years ending 1755, it was £1 17*s.* 4½*d.*; and during the ten years ending 1792, it was £2 18*s.*[1]

The following table gives a comparison of other necessaries:[2]—

[1] The prices in the two former periods were taken from the Eton register, those in the last period from the books of the Dean and Canons of Windsor. Davies' *Case of the Labourers in Husbandry*, p. 64.

[2] Prices in the earlier of these two periods were obtained from aged persons of good memory, who had resided all their lifetime in or near the parish of Barkham. Id. *Ibid.*, p. 65, Davies.

| | Prices about the Middle of Century. | | Prices of late years to 1794. | |
|---|---|---|---|---|
| | From | To | From | To |
| | *s.* *d.* | *s.* *d.* | *s.* *d.* | *s.* *d.* |
| Flour, per bushel, of 56 lbs. seconds | 3 4 | 4 0 | 6 8 | 8 4 |
| Bread, per half-peck loaf | 0 7 | 0 8 | 0 11 | 1 2 |
| Bacon, per lb., in the flitch | 0 4 | 0 5 | 0 7 | 0 8 |
| Bacon, per single pound | 0 5 | 0 6 | 0 8 | 0 9 |
| Beef, per score, 20 lb. | 2 6 | 3 0 | 5 10 | 6 8 |
| Beef and mutton, per lb. | 0 3 | 0 3½ | 0 4½ | 0 5 |
| Pork, per lb. | 0 3½ | 0 4 | 0 4½ | 0 5 |
| Veal, per lb. | 0 3½ | 0 4 | 0 5 | 0 6 |
| A sheep's head | 0 6 | 0 6 | 0 10 | 1 0 |
| Cheese, per 112 lbs., at Reading Fair | 17 0 | 21 0 | 40 0 | 46 0 |
| Cheese, per lb., a good sort | 0 3 | 0 3½ | 0 5½ | 0 6 |
| Cheese, per lb., an inferior sort. | 0 2½ | 0 3 | 0 4½ | 0 5 |
| Malt, per bushel | 3 0 | 3 6 | 5 3 | 6 6 |
| Fresh butter, per lb. | 0 5 | 0 6 | 0 10 | 1 0 |
| Salt butter, per lb. | 0 4 | 0 5 | 0 7 | 0 8 |
| Common soft sugar, per lb. | 0 3 | 0 3 | 0 7 | 0 8 |
| Soap and candles, per lb. | 0 5 | 0 6 | 0 8½ | 0 9 |
| A pair of men's stout shoes | 4 6 | 5 0 | 6 6 | 7 6 |
| A pair of woman's strong shoes | 2 6 | 3 0 | 4 0 | 4 6 |
| Dowlass for shirting, per ell | 1 0 | 1 0 | 1 4 | 1 0 |
| Check for aprons | — | 1 0 | 1 4 | — |
| Stuff for gowns, per yard | 0 9 | 0 9 | 1 0 | — |
| A good weather coat, ready-made | 11 0 | 12 0 | 21 0 | 24 0 |
| Wool, per todd, 28 lbs. | 14 0 | 15 0 | 25 0 | 35 0 |

Prices, therefore, had advanced from the middle to the end of the century about one-third. The advance in day-labour had been during a corresponding period in some places from five to six, in others from six to seven shillings per week—in other words, not much more than a seventh.

Dr. Price had observed as follows:[1]—"The nominal price of day-labour is, at present, no more than about four times, or at most five times, higher than it was in 1514. But the price of corn is seven times, and of flesh-meat and raiment about fifteen times higher. So far, therefore, has the price of labour been from advancing in proportion to the increase in the expenses of living, that it does not appear that it bears now half the proportion to those expenses that it did bear formerly."

[1] *Reversionary Payments*, vol. ii. p. 273.

This assertion is corroborated by the following tables given by Davies:—

MIDDLE OF FOURTEENTH CENTURY.

Ordinary price of day labour, 2*d.*
Price of the quarter of wheat, 3*s.* 4*d.* to 4*s.*
Medium, 3*s.* 8*d.*
22 days=a quarter of wheat.
20 days=a fat hog two years old.
20 days=clothing for a year of a common servant of husbandry.
6 days=a quarter of beans or peas.
5 days=a quarter of barley.
2 days=a pair of shoes.
1 day =two gallons of ale.

MIDDLE OF FIFTEENTH CENTURY.

Pay of a labourer per day, 3*d.*
Price of a quarter of wheat, 5*s.* to 5*s.* 6*d.*
20 to 22 days=a quarter of wheat.
16 days =a quarter of malt.
16 days =clothing for a year of a servant.
8 days =a quarter of oats.
7 days =a flitch of bacon.
4 days =a yard of cloth for shepherd.
1 day =two to three gallons of ale.

FORMER PART OF SIXTEENTH CENTURY.

Pay of a labourer per day, 3½*d.*
Price of a quarter of wheat, about 7*s.* 6*d.*
26 days =a quarter of wheat.
13 or 14 days=a quarter of malt.
7 days =a quarter of oats.
1 day =eight or nine pounds of beef, pork, veal.
1 day =seven lbs. of cheese= four lbs of butter.

ABOUT THE MIDDLE OF SEVENTEENTH CENTURY.

In Essex, the medium pay of a labourer (rated) was 13*d.*
Price of wheat (per Fleetwood's *Chronicon*, p. 106), 40*s.*; and of malt, 24*s.* per quarter, as estimated by the bishop.
37 days=a quarter of wheat.
22 days=a quarter of malt.
7 days=a quarter of oats.
4½ days=two shirts for a man, made.

LATTER PART OF EIGHTEENTH CENTURY.

Price of a labourer per day, 14*d.*
Price of a quarter of wheat, 48*s.*; of malt, 42*s.* 6*d.*
41 days=a quarter of wheat.

| | |
|---|---|
| 36½ days | =a quarter of malt. |
| 96 days | =a fat hog, fourteen score, at 8*s.* per score. |
| 27 or 28 days | =a quarter of beans or peas. |
| 20 or 21 days | =a quarter of barley. |
| 41 days | =a flitch of bacon, six score, at 8*s.* per score. |
| 9 days | =a yard of cloth for servants. |
| 6 days | =a pair of men's shoes. |
| 1 day | =less than a gallon of ale. |
| 1 day | =three lbs. ordinary cheese=1½ lbs. butter. |
| 40 days | =clothing for a year of a common servant of husbandry. |

Davies, as a result of personal inquiry, gives us the statement set out on the following page of the expenditure and receipts in six families belonging to his own parish of Barkham, where, he states, two-fifths of the inhabitants were in similar circumstances.

Few poor families, it will be seen, could afford more than 1 lb. of meat, 1 to 1½ ozs. of tea, ½ lb. of sugar, and ½ lb. of salt butter or lard per week. They could not spare funds to buy milk, which was wanted for suckling calves destined for the London veal supply, nor cheese, which was reckoned the dearest article in use. Malt was so expensive that they seldom brewed any small beer, except against a lying-in or a christening. They eked out their supply of soap by burning green fern and kneading the ashes into balls, with which they made a lye for washing.

In the case of No. 1 there were five children, all unable to work, so that the whole of the earnings went in the purchase of food. In No. 2, the family being deserted by the father, was thrown on the parish—from which it obtained 5*s.* as a weekly pension, board in the parish house, and some fuel and clothing. Family No. 4 was the best off, because it was in receipt of a supply of meat from its employer, it owned some potato ground, whereby a saving in bread was effected, and its possession of sufficient credit enabled it to buy flour by the sack, and therefore at a cheaper rate. In the case of No. 5 the women helped a little towards the common earnings by taking in the washing of one or two labourers, for the expense of which in soap 6*d.* is estimated.[1] But in all six instances, though

[1] *Case of the Labourers in Husbandry*, p. 23.

## PARISH OF BARKHAM, BERKS. EASTER, 1787.[1]

**An abstract of the expenses and earnings of the foregoing six families of labourers by the week and by the year.**

| | No. 1. 7 Persons. | No. 2. 7 Persons. | No. 3. 6 Persons. | No. 4. 5 Persons. | No. 5. 5 Persons. | No. 6. 4 Persons. |
|---|---|---|---|---|---|---|
| *Expenses per week.* | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d |
| Bread or flour | 0 6 3 | 0 5 5 | 0 5 0 | 0 2 6 | 0 3 9 | 0 4 2 |
| Yeast and salt | 0 0 4 | 0 0 3½ | 0 0 3½ | 0 0 2½ | 0 0 3 | 0 0 3 |
| Bacon, or other meat | 0 0 8 | 0 1 4 | 0 0 8 | 0 1 9 | 0 1 8 | 0 1 0 |
| Tea, sugar, butter | 0 1 0 | 0 1 0 | 0 1 0 | 0 1 2¼ | 0 1 0 | 0 0 10 |
| Cheese (seldom any) | — | — | — | 0 0 2½ | — | — |
| Beer (seldom any) | — | — | — | 0 0 5 | — | — |
| Soap, starch, blue | 0 0 2¼ | 0 0 2½ | 0 0 2¼ | 0 0 3 | 0 0 6 | 0 0 2¼ |
| Candles | 0 0 3 | 0 0 3 | 0 0 3 | 0 0 3 | 0 0 3 | 0 0 3 |
| Thread, thrum, worsted | 0 0 3 | 0 0 3 | 0 0 3 | 0 0 2 | 0 0 3 | 0 0 3 |
| Total | 0 8 11¼ | 0 8 9 | 0 7 7½ | 0 6 11¼ | 0 7 8 | 0 6 11¼ |
| Amount per annum | 28 4 9 | 22 15 0 | 19 17 7 | 18 0 9 | 19 18 8 | 18 0 9 |
| *Earnings per week.* | | | | | | |
| The man earns at a medium | 0 8 0 | Parish pay 0 5 0 | 0 8 0 | 0 8 4 | 0 8 0 | 0 8 0 |
| The woman earns at a medium | 0 0 6 | 0 1 0 | 0 0 6 | 0 0 8 | 0 1 0 | 0 0 6 |
| The children earn at a medium | — | 0 3 0 | — | — | — | — |
| Total | 0 8 6 | 0 9 0 | 0 8 6 | 0 9 0 | 0 9 0 | 0 8 6 |
| Amount per annum | 22 2 0 | 28 8 0 | 22 2 0 | 28 8 0 | 28 8 0 | 22 2 0 |
| To the above amount of expenses per annum | 28 4 9 | 22 15 0 | 19 17 7 | 18 0 9 | 19 18 8 | 18 0 9 |
| Add rent, fuel, clothes, lying-in, etc. | 7 14 0 | 7 14 0 | 7 7 0 | 7 0 0 | 7 0 0 | 6 14 0 |
| Total of expenses per annum | 30 18 9 | 30 9 0 | 27 4 7 | 25 0 9 | 26 18 8 | 24 14 9 |
| Total of earnings per annum | 22 2 0 | 28 8 0 | 22 2 0 | 28 8 0 | 28 8 0 | 22 2 0 |
| Deficiency of earnings | 8 16 9 | 7 1 0 | 5 2 7 | 1 12 9 | 3 10 8 | 2 12 9 |

[1] *Case of the Labourers in Husbandry*, p. 18. Davies.

there may be weekly surpluses, the yearly expenses, as compared with the yearly earnings, show a considerable deficiency. Nor was this miserable state of affairs confined within the boundaries of Berkshire. Davies, by an appendix to his book, affords ample proof of its prevalence over the entire country.

According to this writer, labouring families could have maintained themselves at their own houses, paying rent and every other necessary expense, for the small annual sum of £5 4*s.* per head.[1] But the cost of the board and lodging in the poor-house had been estimated at £7 16*s.* per head, and if there be added to this the other expenses of a workhouse, the whole cost per head was probably not less than nine or ten pounds. As a set-off, the work performed in the poor-house was infinitesimal and of insignificant value.[2] The better alternative would therefore seem to have been an extended system of outdoor relief, for the sakes both of the ratepayers' pocket and of the character and morals of those thus relieved. This fact appears to have struck the authorities the very same year and month in which the treatise of this Berkshire rector appeared in print, and it is a noticeable coincidence that the magistrates of Davies' county used their powers under the recent Gilbert Act, and adopted his suggestions. But if Davies' views are thus answerable for all the widespread mischief which followed the "roundsman process" (about which we shall have a good deal to say later on), it remains only to point out that the energy and research of this true friend of the poor man deserved a better fate. We can, however, hardly believe that he was responsible for more than the principle adopted by the Speenhamland justices. Indeed, it is quite probable that they themselves only took the course that they did take for want of a better.

As we have shown earlier in this chapter, the parochial authorities would not look beyond the necessities of the hour. They objected to expend funds in providing for works of a permanent nature, and refused even to purchase tools, wool, flax, and other materials with which the pauper could have

[1] *Case of the Labourers in Husbandry*, pp. 23 and 62.
[2] Zouch's *Remarks*, p. 55.

been profitably employed outside the workhouse walls. This reduced the processes by which the practice of outdoor relief could be widened, to a minimum, and left the authorities little or no choice beyond those mischievous methods which they eventually adopted. Everybody recognised that something was radically wrong in the system of poor relief, but no one was able to point out an effectual remedy. The highest aim of the economist, at this or any period, cannot be better expressed than in the words of Mandeville. "The poor," he says, "have nothing to stir them up to labour but their wants, which it is wisdom to relieve, but folly to cure." It seems, however, to have been the aim of the philanthropist to cure rather than relieve, and of the ratepayer, to do neither the one nor the other. Between the conflicting efforts of these two, the poor were either pampered or neglected; more often, however, the latter, because the local authorities in whose hands rested the chief power, were entirely interested in keeping rates low. Howlett describes the means used in his own parish of Dunmow as twofold. First, the authorities spared their funds to the utmost; and secondly, they admitted as few paupers into the house as possible. In other words, the rate was kept low by starving the applicants for relief.

We cannot altogether blame the parish officials when we bear in mind how rapidly the National Taxation was increasing. The country in the space of one century had augmented its net revenue from about two millions sterling to nearly fourteen and a half. By the period at which Davies was writing, the total taxation was not far short of eighteen millions, and though it had been kept as far as possible clear of the necessaries of life, yet Adam Smith's view had been by now unanimously admitted as correct, viz., that a tax imposed on any one article of general consumption raises the price, not only of the article taxed, but of all other articles also.

As a natural consequence the poor rate had increased in like proportions. It may be assumed that in 1572 it was not over £200,000; but a hundred years later it had risen to thrice that sum. During the last fifty years of the eighteenth century it more than doubled itself, for in 1753 it was just

a million and a half. During the year ending Easter, 1776, £1,720,316 was raised in England and Wales by poor-rates, out of which £1,556,804 6*s.* 3*d.* was actually expended in relief. In 1785 this fund was exactly £2,004,238.[1]

Though this was the period when the nation was engaged in two expensive wars, we must not ascribe this vast and rapid increase entirely to this circumstance. Between the termination of the American War and the outbreak of the struggle with France there was an interval of peace, during which a

[1] Kaimes, in his *Sketches of the History of Man*, puts the rate for the entire kingdom, in 1764, at £2,000,000; in 1773, at £3,000,000; and in 1776, at £5,000,000. Young, in his *Farmer's Letters*, quotes D'Anguill as estimating it at £3,500,000, and Alcock as estimating it at £3,000,000. But statistics of rating, prior to 1776, are mere guess-work. Davies quotes from the returns made by the overseers under compulsion of an Act passed in 1776, and gives the net amount paid to the poor according to the medium average expenditure during three years. This is corroborated by the following from the *Gentleman's Magazine* of 1777.

RETURN OF POOR RATES MADE TO PARLIAMENT FROM EASTER, 1775, TO EASTER, 1776.

*Money Raised.*

| | £ | *s.* | *d.* |
|---|---|---|---|
| England | 1,679,585 | 0 | 0 |
| Wales | 40,731 | 14 | 7 |
| | £1,720,316 | 14 | 7 |

*Expended on Poor.*

| | £ | *s.* | *d.* |
|---|---|---|---|
| England | 1,523,163 | 12 | 7 |
| Wales | 33,640 | 13 | 8 |
| | £1,556,804 | 6 | 3 |

*County Rate.*

| | £ | *s.* | *d.* |
|---|---|---|---|
| England | 131,387 | 18 | 11 |
| Wales | 6,268 | 11 | 9 |
| | £137,656 | 10 | 8 |

Ten years later, viz., 1783–4–5, the average total expended upon the poor was £2,004,239. The following year it had increased by close on half a million.—*Eden on the State of the Poor*, Bk. II. ch. i.

considerable drop in the amount of the poor-rate would probably have occurred had it not been immediately, almost simultaneously, checked by the Act of 1782. The causes for the increased distress were fairly evident; but then few of them were capable of being remedied by State interference. It is true that many were asking whether the growing prices of wheat were not incompatible with the protection of corn husbandry, and the proletariat was becoming daily more mutinous against the corn laws. But the authorities who had recently withdrawn the bounty on exportation, were not disposed to entirely withhold a protection which was not merely promoting the conversion of wastes into corn-producing soil, but hurrying this process forward with giant strides. Davies sums up the general view of this question in a few words. "Without doubt," he says, "a high price is the greatest encouragement to the farmer to raise plenty of corn, and therefore no undue means should be taken to keep the price of it from advancing with that of other things. But on the other hand it seems absurd to grant bounties for encouraging the exportation of what we cannot spare."

If the Legislature was not disposed to meddle with the corn laws, it could hardly have been expected to interfere with the increase in the population; another cause to which the high prices were attributed. State-aided emigration would have found but few advocates at a time when we regarded all our male population as fighting material for the French war. And, indeed, opinions were not unanimous that the population was increasing. Dr. Price, basing his arguments on the statistics of the window tax, asserted that an actual decrease had taken place.[1] All, however, that he could substantiate from such a source was a decrease in the number of houses, which might easily be accounted for by the process of engrossing.

A short explanation of this practice will enable the reader to see that no restriction to population occurred from this cause. Landowners, in order to render their incomes adequate to the

[1] *Essay on the Population of England*, etc. Richard Price, 1780.

increased expense of living, had joined several small farms one holding, raised the rent to the utmost, and thus avc[illegible] the cost of keeping in repair several separate homesteads. Instead of numerous small farmers, one rich individual engrossed as many holdings as he was able to stock, and out of their united profits made ample provision for his own family. But no decrease of population occurred, because farmhouses and cottages hitherto occupied by a single family had become subdivided into two, three, and even four separate dwellings,—consequently a small decrease in the number of houses would not necessarily imply any diminution in the number of families. In fact, the publications of Wales and Howlett, based on evidence obtained from the parish registers, afforded presumptive proofs to the contrary; while the progressive improvement of agriculture, manufactures, commerce, and shipping, shown by Chalmers in his *Comparative Estimate*, corroborated the testimony of the registers. That the Government may have been deceived into the same belief as Price, is possible, for in 1775, the Act of Elizabeth forbidding the erection of cottages without at least four acres of land attached, was repealed, thus proving that the country was convinced that there could not be too many labourers' dwellings.[1]

But if the system of engrossing did not check population, it swelled the ranks of the rural poor. For thousands of families which formerly gained an independent livelihood on separate farms, had been thus gradually reduced to the class of day-labourers, and unhappily another cause tended to reduce these to a lower grade still. The influx of a large quantity of wealth into the kingdom, together with its diffusion amidst the higher ranks, had, in spite of the increased taxation, created an expensive habit of living, which was one of the chief causes of the enhanced cost of necessaries. The villages were deserted by the rich families during a greater part of the year. The poor lost that valuable support which the charity of the resident squire had freely bestowed upon them; for now two-thirds of

[1] Sir Fred. Eden, later on, drew public attention to the insufficiency of this class of habitation.—*State of the Poor*, vol. i. p. 361.

his spare cash were expended in the amusements of the capital and other fashionable resorts.[1]

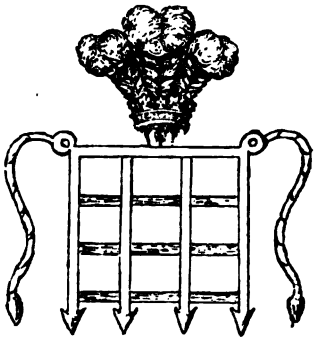
Owing to the reduction in the ranks of the farmers, the class of house servants had diminished, and the entire rural community was left almost absolutely dependent on parochial poor-relief in times of need.

It was also said that notwithstanding the corn laws (the bounty system, be it remembered, was now withdrawn), the greater and more general consumption of meat, together with the vast increase in the number of horses, had diminished the area of wheat-producing soil, in order to make room for the wants of the manger and feeding-trough. To remedy such drawbacks to the public prosperity the State was powerless. It could hardly introduce another sumptuary law, this time directed against the habits and diet of the rich, nor could it interfere with the methods of cultivation practised by the farmer. But so long as it assumed control over the prices of bread and hours and wages of labour, so long would it be responsible for the want prevalent amidst the lower classes. It was incumbent on the authorities either to adjust the relative prices between bread and labour on the sliding scale principle suggested by Davies, or, better still, to leave the whole business for Nature unrestricted by Art to settle.

If however we were to examine closely either alternative, we should find that, in order to make them effectual, in the first a partial repeal, and in the second a total repeal of the corn laws would have been necessitated.

But our forefathers, not content with artificially maintaining the high price of bread, drew needless attention to this policy by their utterly futile efforts to regulate it according to the necessities of the moment. Such a notice as the following, periodically posted up in Westminster, advertised their well-meaning but impracticable intention to proportion the cost of bread to the rates of wages.

[1] We shall see later on, that when in 1795 wheat rose to 130*s.* per quarter, the squire regained, if he ever really lost it, his old character for charity.



Westminster } *The Assize of Bread*
to wit }

Set by the Worshipful James Sayer, Esq.,

Deputy Steward of the City and Liberty of Westminster,
With the Advice and Assistance of
The Burgesses of the said City and Liberty
The 1st Day of December, 1795;
And to take place on Thursday, the 3rd of December, 1795, is as followeth:

| | Wheaten. | Household. | To be sold for | |
|---|---|---|---|---|
| Penny Loaf, or two Half-penny Loaves to weigh | lbs. ozs. dr. 5 9 | lbs. oz. dr. 7 5 | Wheaten. | Household. |
| The Twopenny Loaf . . | 11 2 | 14 10 | | |
| The Threepenny Loaf . . | 1 0 11 | 1 5 15 | s. d. | s. d. |
| The Peck Loaf [1] . . . . | 17 6 0 | 17 6 0 | 4 2 | 3 2 |
| The Half-peck Loaf . . . | 8 11 0 | 8 11 0 | 2 1 | 1 7 |
| The Quartern Loaf . . . | 4 5 8 | 4 5 8 | 1 0½ | 9½ |

Let us however examine more closely the class of legislation affecting the livelihood of the labourer at this period.

And first regarding that which deals with the food of the people. The ancient statute of 51 Hen. III. c.i.[2] had never been repealed, though it had been amended in the reign of Queen Anne, and again in that of George II. Now the primary

[1] A half-peck loaf was the same as a gallon loaf.
[2] Assisa Panis et Cervisiæ.

object of every law on this subject from the time of Henry to that of Anne was to prevent the division of the flour into what was termed pure meal and inferior meal. When however the industry of the mealman and of the baker became two separate branches of trade, the former was able to withdraw his dealings from under the regulations of the Assize, and the latter was compelled to take those divisions of flour which it had been the chief object of the Legislature to forbid. The magistrates, unable to enforce the laws without ruining these innocent offenders, observed a wise discretion in tacitly ignoring their powers; and the State, unable to make the mealmen conform to the old Act, passed a fresh one conformable to their practices. Thus by 31 Geo. II. c. 29 two sorts of breadstuffs were rendered legal, viz., wheaten bread made from the finest parts of the flour and purchased by the well-to-do; and household bread composed of inferior flour and purchased by the lower orders. Two pernicious results ensued: first, there was henceforth drawn an unfortunate distinction between the food of the rich and the food of the poor; and secondly, whenever the price of grain stiffened, the mealmen adulterated both varieties, until the cheaper of the two became almost, if not quite, innutritive.

The Legislature soon attempted to remedy its unfortunate blunder, and by the Act 3 Geo. III. c. 11 sought to provide for the protection of the poor whenever an Assize of bread was set. Though it still remained lawful for bakers to sell two sorts of bread, no unwary person was liable to be imposed upon by buying the one in mistake for the other. The so-called "Assize" bread could not be sold at the same time or place as the so-called "Prized" bread, and every loaf of "wheaten" flour had to be marked with a large Roman W; while the loaves of "household" flour were distinguished by a large Roman H. But the invidious distinction between the bread of the poor and that of the rich still lingered, and the difficulty of controlling, without an assay of flour, the sale of two varieties of bread still remained. By the second George's statute, the Assize was variable, regulated in fact by the price of wheat. Upon such a basis, and so long as the price of flour and its

separation into various breadstuffs remained at the choice of the miller and mealman, it was impossible that any form of loaf save that made out of the whole fruit of the wheat plant could be controlable by an Assize. The legislature, therefore, by 13 Geo. III. c. 62, once more "naturalized" under the appellation of "Standard Wheaten Bread," and under the distinction of the letters S W, the old traditional English loaf, which, though absolutely prohibited by all the other Georgian Acts, had originally been the standard food of that section of the public which consumed this variety of cereals.[1]

But at the time of this remedial legislation many authorities would have preferred some measure which brought under its purview the operations of both miller and mealman, and Governor Pownall, in 1788, was so far successful in this direction, that he managed to get passed through the Commons a bill regulating the making and selling of flour, though it failed to find favour with the Lords.[2] Another defect in this class of legislation was that it was not compulsory. Two or more justices were empowered, *if they chose*, to set an Assize within their jurisdiction, and after ascertaining from the clerks of the neighbouring markets the prices of grain, meal, or flour, might fix any money value they thought fit. The bakers possessed the apparently worthless privilege of scrutinising the returns, but no alteration in the Assize was permissible unless the price of wheat as set forth in the returns could have been shown to have varied threepence in the bushel.

That this principle of meddling with "the staff of life" was generally regarded a failure, is evident from a speech of Lord Hawkesbury's on the 18th of February, 1795, in which he moved for leave to bring in a fresh bill to regulate the Assize, pointing out that the number of consumers of wheaten bread depended upon the abundance of the crop and the consequent price of that bread, and that not more than two-thirds of the community could afford to consume it.

Turning to the legislation dealing with the work of the

[1] *Annals of Agriculture*, vol. xxi. pp. 557, etc.
[2] Id. *Ibid.*, vol. ix. p. 557.

people at this period, we find that the statute of 5 Eliz. c. 4 directed that each year, in Easter sessions, the justices should assemble and call upon such discreet and grave persons as they thought meet, to limit, rate and appoint the wages of all labourers, artificers, workmen, or apprentices of husbandry by the year, week, month, or otherwise, with or without meat and drink, and what wages every workman or labourer shall take by the great for mowing, reaping, or threshing of corn, or for mowing or making hay, or for ditching, paving, railing, or hedging, by the rod, perch, pole, etc., and for any other kind of reasonable labour or service." This statute had not as yet been repealed; but had been extended by 1 Jac. I. c. 6, to the rating of wages of all labourers, weavers, spinsters, and workmen or workwomen. The law empowered the justices to punish defaulters, whether amongst the ranks of employer or employed, and even went so far as to forbid any retainer, promise, gift, or payment of wages contrary to the spirit of the Acts.

Now though in the legislation prior to the reign of Elizabeth it was undoubtedly the intention of our statesmen to prevent *excessive* wages, yet in the statute of Elizabeth it is expressly mentioned that its object was to benefit the labourer and hireling, so that they should have, both in the time of scarcity and in the time of plenty, a *convenient proportion* of wages. In other words the laws antecedent to the reign of Elizabeth imited the *maximum* of wages, those enacted since were intended to fix publicly the permissible *minimum* of wages. There is very little to say in favour of even the latter practice. In times when labour was scarce it might possibly have checked any development of that economy since known as "the sweating system." But at the end of the eighteenth century, when the supply of labour exceeded the demand, it was too harsh an expedient to find public favour, as the House of Commons very soon decided when Whithead attempted in 1795 to resuscitate the Act of Elizabeth.

For all the evil results of these labour laws the landlords, or rather their representatives on the magisterial bench, incurred the blame. But it may be pointed out in their ex-

culpation, that they were not only placed in an anomalous position, by having to regulate the rate of remuneration on behalf of their own employés, they were also positively warned by the political economists of the day, that the community's interests would be injured unless they compensated for any rise in the prices of the necessaries of life by a diminution in those of labour. It was not just for the State to entrust the guardianship of the sheepfold to the wolf, and it is equally unjust for posterity to blame the landlord, when he performed his delicate duty on principles deemed at the period compatible with the highest public morality. Any increase in the cost of production was regarded by the political economist before the days of Adam Smith as inimical to the interests of the commonwealth. As soon as Adam Smith had shown the true nature of labour in its relationship to the public wealth, it ceased to be hampered, and the justice himself was the first to advocate from his seat in Parliament the abolition of all legislation of this kind.[1] This is the more commendable when we consider that the mercantile class utterly ignored its responsibilities under the poor laws, while from it all clamour against landlords' abuses originated.

[1] In 1814 the Act of Elizabeth was repealed.

## CHAPTER XV.

### AMATEUR FARMING.

THE late Mr. Caldecott's delightful illustrations have made every one familiar with the old ditty, "The Three Jovial Huntsmen." During the species of wild goose chase of which it is a record, the trio come across some indistinct object which one of them affirms to be "a gentleman farmer who has lost his way." The incident illustrates an ignorant prejudice against amateur farming very common at the time we are now discussing. The reader will recall the popular saying quoted in the earlier portion of this work as prevalent in Tudor times, that "it was never merry with poor craftsmen since *gentlemen* became graziers." Hartlib had declared that few men liked to attempt fresh experiments lest they should earn the reproachful appellation of "projectors," and Tull's new process, we have said, was strongly objected to by the professional husbandman because the practice of fresh innovations was considered unwise on holdings where, whatever the results of the husbandry might be, a rent was payable.[1] If any further evidence be required, we have only to remind the reader of the short description already given of the difficulties experienced by northern gentlemen in introducing turnip drilling into their particular neighbourhoods, and then compare this episode with what took place in countries where this prejudice was not so strong.

Thus into France, for example, so Professor Symonds of Cambridge informed his countrymen through the medium of

[1] Even gentlemen themselves (Arthur Young, for example) had to write articles to explain why amateur farming generally failed in a pecuniary sense. Vide *Annals of Agriculture*, vol. i. p. 389.

Young's *Annals of Agriculture*, "turnips had forced their way at once to the unspeakable benefit of the whole kingdom." The reason for this was that the Comptroller General at the time happened to have been a farmer, and whilst exercising the duties of an official post in Flanders, had made careful observations on the Flemish turnip culture. On his return home he convened a council at Paris, "composed for the most part of those reverend seigneurs the Academicians, who seek to guide this work-a-day world from their closets." Fortunately, however, the Comptroller General recognised two facts: first, that the culture of turnips was not a subject suited to vulgar minds, and secondly, that the knowledge of it was not exclusively the property of the most learned. A gentleman of practice and travelled experience had sent in a treatise on the management of turnips as practised in East Anglia, and though certain members of the council scoffed at any information emanating from non-Academical sources, the bulk of them, influenced by the enthusiasm of their President, adopted this report, and decided to forward it to the various Intendants of the provinces, whose office it was to instruct the farmers. These being themselves practical husbandmen, were eventually able to establish turnip culture throughout France.[1]

Here in England, however, no such disciplined organization as this existed, and amateur farming was the only connecting link between science and practice. But let us for one moment consider what our account of the national husbandry would have been without the instrumentality of the amateur. Excise all that has been said of Tull, Bakewell, and Young, and imagine what progress would have been made without the examples of Coke, Turnip Townshend and the Duke of Bedford.

The gentleman farmer was to the eighteenth century what the Roman had been to the British era, the monk to the middle ages, and the Fleming to the Tudor period. Writers to the Board of Agriculture were advocating the establishment by Government of model farms in every neighbourhood;

[1] *Annals of Agriculture*, vol. v. p. 4, etc.

thus (unconsciously perhaps) affording eloquent testimony of their appreciation of what little had been effected for local agriculture by the exemplary practice of a few landowners. Even had there been the facilities of locomotion now afforded by steam, and the diffusion of knowledge now available by a cheap press, nothing but a prolonged ocular demonstration could have drummed into the dull brain of the rustic the advantages of the new husbandry. It was not exactly obstinacy or ignorance which prevented tenant farmers from assimilating fresh ideas. Any experimental husbandry jeopardised the bread of the family, and the results of its success required indisputable proof before the responsible head of that family felt himself justified in hazarding its adoption. It is however quite evident, as a quaint writer of the period expresses it, "that characters wrote[1] with pen and ink," conveyed no meaning to a class which was unable to read. They could only be expressed in an intelligible form through the medium of the plough and spade. Even then the ordinary farmer might have been excused if he thought twice before adopting some new-fangled economy which he saw attempted by one or other of his richer neighbours.

Tull had been reproached with "drilling away his fortune," and though posterity has wrongly attributed to the father the bankruptcy of the son, there is but little doubt that Jethro was a man of straitened means.[2] Arthur Young, as a farmer, was a terrible failure, and so was many another well-known agriculturist.

But the mention of these two names in the same breath affords us an opportunity, not to give an account of Tull's life and character (for this we have more or less done when treating of that earlier portion of the century, to which Tull more properly belongs), but to afford the reader an insight into his system of husbandry, by describing Young's visit to Prosperous Farm, long after its celebrated master had passed away.

The house in which this famous farmer was content to re-

[1] *A Dissertation of the Chief Obstacles to the Improvement of Land, etc.* Aberdeen, 1760.

[2] *Annals of Agriculture*, vol. xxiii. p. 173.

side was found to be, in 1795, a hovel in which any contemporary of Young's possessing £200 a year would probably have refused to live a single twelvemonth. The glazed tiles of its humble kitchen were relics of their former owner's handiwork. Its lofty situation commanded a view of some ten or twelve miles of surrounding country, and had been bleak and exposed ever since the great storm of 1709 had blown down its shelter of trees. The entire farm, save a field to the north-west, which, before Tull drained it, had been a "wet, spewy soil," was dry, flinty chalkland. Until he had taken it in hand it was merely a sheep down, and though reputed under his management to have become one-third better for a tenant, it would, he himself confessed, not have let at half its original rent.[1]

Tull kept no flock at all, arguing that he possessed no common, down, pasture or meadow, to keep it upon; that, were he to have sown sainfoin, it would have been unfit for store sheep; and that if had he folded them he would have had to use less economical horse labour instead of that of oxen. Besides, added poor Tull, "'Tis a trade that I'm not master of, nor can I have it well done by a deputy. I find it very difficult to preserve my corn from being spoiled by neighbouring sheep; but if I had a flock of my own 'twould be more difficult." We cannot help attributing (though Arthur Young omits to do so) to this management the low state of Tull's purse. In his mania for the drill he neglected the flock, and converted the virgin down, the finest sheep pasturage in the world, into indifferent wheat soil, which his prejudice against manure prevented his improving. The Mr. Blandy, however, who bought the farm from Tull's executors, and was cultivating it at the time of Young's visit, kept nine horses and 180 sheep. His course of husbandry was turnips, barley, seeds, wheat, and oats, and by maintaining his land under sainfoin or clover four years, he was able to secure three prolific white crops in each eight-course shift.[2]

[1] This was not the Oxfordshire holding alluded to on p. 89 of this work, and which, after he had done cultivating it himself, he let at an enhanced rent.

[2] *Annals of Agriculture*, vol. xxiii. p. 172.

This is only one of many instances where shrewd common-sense is able to build on the failures of genius a solid success. Sooner or later therefore the professional farmer derived from the amateur the same benefits which his forefathers had obtained from the monastic ploughlands or the ecclesiastical tithe owner; and it cannot therefore be space wasted or time thrown away if we devote a chapter like this to an examination of the lives and characters of the most important amateur farmers who flourished in the last half of the eighteenth century.

## ARTHUR YOUNG.

Far more influential than Tull, in fact chief in national importance though not in social rank, of *all* the agriculturists about to be mentioned in this chapter, was Arthur Young. No history of English land would be complete without a careful analysis of his character, life and writings, and no chronicler of the agriculture practised a hundred years ago could ignore the man whose name stands out as a landmark between the communal husbandry of the middle ages and the scientific processes of the present day. He forms one of a trio with Cobbett and Caird, who during the last hundred years have attracted by the irresistible power of their pens the public attention to a renewed interest in this important industry. A childhood, nourished amidst all the stately surroundings of a squire's country residence, might have predisposed Young to show a preference for the rights and prerogatives of landed property. Though master of Bradfield Hall, he preferred, however, to assume the social rank of a Suffolk farmer. Had he gone to Eton and the university as his father wished, he might have been more exclusive in his views and more fastidious in his tastes; but he would certainly never have acquired that wide influence over his countrymen to which it is the lot of few men to attain.

Gifted as he naturally was with considerable breadth of thought, which would be sure to develop under the widening

influence of much travelling, his mind was not so expansive as to fit him for economical reasoning. "He had no real conception of the harmony of interests," says Rogers. "His entire sympathy is with agricultural production. Everything must lend itself to this result. The labour must be cheap, whatever it cost in penury to the workman. The produce must be increased by every effort of ingenuity and skill. The energies of the farmer must be stimulated and his ignorance and sloth cured by a rack rent."[1]

We hardly think, however, that Rogers has read Young's character aright. The learned historian of *Work and Wages* holds a brief for the labourer, and cross-examines with all the severity of a special pleader any witness hostile to his cause. Many a man in Young's circumstances would have considered that the task which he had set himself would require the undivided attention of a lifetime. As a specialist, therefore, he would have deemed it his sole duty to study the interests of agriculture, and would naturally have concluded that other industries might be left to take care of themselves. Nor, again, does Mr. Prothero quite hit off his particular idiosyncracies. After justly eulogising his keen observation and great talents for description, and estimating him as one of the most enlightened and useful pioneers of agricultural improvement that the century produced, he goes on to say:[2] "His enthusiasm is always genuine if it is sometimes extravagant, as when he praises the plumpness of Rubens' female portraits with the eye of a grazier, or remarks of a fine Correggio: A fine picture is a good thing, but I had rather it had been a fine tup." We cannot but think that Young's enthusiasm was sometimes feigned and therefore extravagant. Was it likely that the individual, who at thirteen could appreciate classical music, and enjoy Garrick's rendering of a tragic part, would be in matured manhood such a bumpkin as to prefer the symmetry of a sheep to a great artist's masterpiece? Are the *French Travels* the literary production of a mind wanting refine-

[1] *Six Centuries of Work and Wages*, p. 475. T. Rogers.
[2] *Pioneers of English Farming*, p. 62. R. S. Prothero.

ment? He is described by his biographers as handsome, witty and versatile, "a man courted by the great," a conspicuous figure in good society; "one who would certainly find a London salon more to his taste than a dull farmhouse."[1] It was because every circumstance connected with his appearance militated against his ability to disguise himself as a farmer, that he was obliged to exaggerate the latter's characteristics. He was acting a *rôle* for which he was ill adapted by birth and early associations, but for which he possessed a powerful predilection. A landlord in his tenant's clothing might readily be mistaken for the proverbial wolf by the sheepish wits of the rustic. To play the part therefore with success, he was frequently compelled to resort to stage tricks and to conceal the polished manners of the gentleman under the rough exterior of the yokel. Later on, when he had appeared in the part of the farmer so long, that people might well doubt whether he had not lost in the process some of the polish of the gentleman, he took to caricaturing the manners of the class to which he really belonged. Thus in 1770, Fanny Burney describes him as overdressed, "grown all airs and affectation." "Yet I believe," she adds, "this was put on, for what purpose I cannot tell, unless it were to let us see what a power of transformation he possessed."

Young spared no pains to educate his mind for the part he had selected in life. A day's outing with the Burneys was no doubt more congenial to his tastes than heavy-land farming in wet weather; but then a course of the latter was as essential for Young's future calling, as walking the hospitals for that of any great medical specialist of to-day. Can we not imagine how irresistible the teaching and influence of this man must have been to the rude farmers who heard their interests advocated and their practice criticised in terms at one and the same time graceful, convincing, and familiar. To be able to discuss didactically as well as successfully practical topics with practical men requires the tact of the courtier and that familiarity with one's subject which only comes from

[1] *Young's Travels in France.* Biog. Sketch. M. Betham-Edwards.

thorough knowledge. Since Young's times, no doubt the combination of the scholar and the practical man in one individual has lost the charm of rarity, and the mob listens every day to orators who pour forth in the most polished rhetoric all the vernacular and technical expressions peculiar to the factories and workshops of its own particular locality. It is however doubtful if the frequency of this gift has in any degree lessened its influence on the vulgar mind.

On an emergency, Young had at his disposal more rough and ready methods of persuasion than a polished manner and elegant language. If he wanted to pick the dull brain of some uncommunicative rustic he dropped the fine gentleman and became the boon companion. During his northern tour, he naively confesses, "I was forced to make more than one honest farmer half drunk before I could get sober unprejudiced intelligence."

Mr. Wren Hoskyns, though he speaks in high praise of the *Farmers' Letters*, *Agricultural Tours* and *Calendar*,[1] adding that Young displayed the mind and pen of a master in his art, and went far towards laying the foundation of a practical agricultural literature, accuses him of sharing the prejudices of the day, because he argued in favour of the corn bounties and depreciated science. When his writings are examined in detail it is found that he was attracted, naturally enough, towards the agriculturist school of political economy. The impressionable period of his life coincided with that crisis in philosophical thought when authorities were exposing the errors of Colbert, and revolting against the theories of the mercantilists. Scholars, disposed to impartiality by education and profession, were daily becoming as much prejudiced in favour of the agricultural theories as Young himself. In the centres of physiocratic thought the new doctrines would be irresistible, and this East-Anglian agriculturist had, during his French travels, come almost into as close contact with the Quesnai school as Adam Smith had done. If the latter, shrewd, philosophical and unbiassed as he was, became permanently

[1] *Morton's Cyclopædia of Agriculture.* Int. Essay. W. Hoskyns.

tainted with this influence, surely the former would have been more than human had he entirely escaped.

As for his alleged depreciation of science we have only to point out what it signified in Young's day, to exonerate him from all blame on this head. Science (and by the term we mean what Young understood it to mean, *i.e.*, chemistry) was still enveloped in a dark shadow of mystery and failure. The awe surrounding the person of the mediæval alchemist lingered in the vulgar mind about the operations of the later analysts. In more enlightened understandings a sense of ridicule begotten of endless failure was the most prominent feature. Indeed, we should not be surprised if Boyle himself was in the estimation of the majority of his countrymen either a fool or a wizard. We have already described the scientific researches of Dr. Agricola and Richard Bradley, and the reader will therefore not be disposed to condemn Young had he rejected a science which was as yet practically useless, if not mischievous, to that industry which he held so dear and whose interests he watched so jealously.

But are we right in concluding that he really *did* reject the influences of science? Did those who elected him honorary member of their learned societies regard his sentiments in this light? Did the savants of Paris, Berne, Zurich and Mannheim, and the scientific experts of London, York, Manchester and Dublin, refuse him the brotherhood of letters on this account? After his Irish tour, in 1779, when he had settled once more at Bradfield, he himself varied the purely physical operations of the farm with laborious mental research into the chemistry of soils, and his ingenuity and success in this fresh departure are best illustrated by the fact that he earned the honorary gold medal of the Society of Arts for the result of experiments on potato culture. Nor is it likely that an individual who despised science would have begged Mons. de Mirveau, first chemist of France, to apply his learning to experimental agriculture; or would have become the intimate of Priestley, acquiring from him a taste for pneumatic chemistry, and sharing with him the delights of epoch-making discovery. After one of these mornings with the great English analyst,

he writes in his humorous style to a friend, "I have been washing fixed air and hanging it out to dry."[1]

The results of this intimacy are everywhere apparent in the forty-five volumes of the *Annals*. Young never tires of discussing the operations of air and phlogiston on the vegetable economy, until Lavoisier overthrows this fallacy, and then, as editor of the *Annals*, he becomes the medium by which the new antiphlogistic theories are applied to English agriculture.[2]

It sounds paradoxical, but it is probably correct to say that the secret of Young's success in literature was an imperfect literary education. He himself always regretted that the money paid as a premium to a Lynn merchant, in whose counting house he resided after the days of his schooling, had not been used in preparing him for the duties of the Bradfield Rectory. But a college education would have just muzzled that audacity of thought and vigour of expression which lifted his powers of composition above those of more refined but insipid writers. When a young man (Dr. Paris tells us) he read with unabated avidity every work which he could procure. The rich store of learning thus acquired, combined with the unusual style of his literary expression, brought to his pen that bountiful harvest of remunerative success which was denied to his practice of husbandry. The French translator of his works exclaims in astonished admiration, "But this person who has written so much and so well is a practical farmer." To Young, asserts Kirwan, "the world is more indebted for the diffusion of agricultural knowledge than to any writer." His books were said to have produced more individual harm and greater public good than those of any person who had ever written; and this is necessarily the case whenever the introduction of numerous and intricate discoveries upsets a long established economy. Young himself believed that no teaching in all his writings had produced

[1] *Arthur Young*, Biog. Memoir, by J. A. Paris, M.D. *Quarterly Review of Science and Art*, vol. ix. pp. 279–309, 1820. J. Murray.

[2] Compare, for example, *Annals of Agriculture*, vol. i. p. 139; vol. iii. p. 476; vol. vii. p. 397; vol. xxix. p. 222, etc., etc.

such lasting benefits as his efforts to direct the attention of the agricultural world to a correct course of cropping. His works were bought up with avidity; the first edition of the *Southern Tour* being exhausted in a few weeks. They appeared in almost every European language, and between 1766 and 1775 had earned their author £3,000.

Young was in many respects a born literary genius. He was noticeable even as a boy for his superior talents and indefatigable industry; and though at the unreasoning age of ten he was beginning a *History of England*, and while still in his teens was writing pamphlets on the American War, by the time he had arrived at the years of discretion he had wisely confined the area of his literary work to the special surroundings of his everyday life.

Like Tull and other pioneers of agricultural reform he was destined to fail in the profitable practice of what he preached. His friend Paris describes him as "possessing a thirst for experiment without a knowledge of what it demanded for its success, or what were the fallacies to which it was exposed in the execution." We cannot, for the sake of the ultimate good they wrought amongst his countrymen, regret those many fruitless efforts, those bitter disappointments and those times of hardship and want which resulted from his prolonged struggles to earn the livelihood of a farmer. Had he found lucrative employment out of that "devouring wolf," as he terms his Suffolk land, or that "hungry vitriolic gravel," as he phrases his Hertfordshire tenancy, posterity would never have reaped the fruits of all the experience obtained in those tours of 1767,[1] 1768,[2] and 1770.[3] As it was, the *res angusta*

[1] *The Southern Tour* was written out of the materials collected whilst looking out for another farm, which he eventually hired in Herts. His main difficulty was to find a suitable homestead.

[2] He took the farm of Samford Hall in Essex the same year that he went his northern tour. This 300-acre holding he afterwards gave a farmer £100 to be quit of. Here he wrote *The Political Essays on the Present State of the British Empire, vide* Dr. Paris' Biographical Memoir of Young in the *Quarterly Review*, vol. ix. pp. 279–309.

[3] *The Eastern Tour*, and indeed the Northern tour also, was advertised beforehand, by which means he received valuable preliminary information.

*domi* stirred up all that wealth of energy which lay dormant within him. The same man who had lost the means of a livelihood by making three thousand fruitless experiments in Suffolk husbandry, sat soberly and calmly down to win it back by writing a ten volume *History of Universal Agriculture.* Alas! this equally futile effort brought no grist to its author's mill, for though even yet in existence it is in manuscript form only. Happily for his countrymen an abundance of his literary ventures are still available, of which the forty-five volumes of the *Annals* and the *Political Essays* are eloquent witnesses of his vast energy as an editor, of his deep research as a student, and of his wide influence as an expert. There is hardly a detail in practical husbandry, or a question relating to the landed economy, on which somewhere or other in his writings he has not had something original to say. When we come to consider how few good agricultural works there were at his period; when we recall to the reader's memory that incident, which happened not so very long before Young's time, of a Lord Chancellor who had read every English work on the subject on which he could lay hands, pronounced them all a tissue of folly and contradiction, and ended by making a holocaust of the entire collection; we may partly realise what Young's practical experience and literary skill combined effected for his countrymen.

The remaining biographies of eminent husbandmen to be described in this chapter will teach us how, by force of example, they succeeded in spreading abroad a better system of husbandry. But they themselves obtained the bulk of their more advanced practice from a perusal of Young's books. He was not so much instrumental in conveying knowledge to the common farmer, as in becoming the vehicle by which the latter's want of knowledge was made known to the experts. His friend Paris illustrates in far better words than we could employ, another side of his public usefulness. "The practices," Paris says, "found advantageous in particular places were diffused throughout the Empire. Local knowledge became general science, and the ability possessed by a few to cultivate

successfully the carrot, cabbage, lucerne, etc., was thus made general property."

Such a combination of practical and philosophical knowledge has been rarely met with in the same mind. Such an ability to contrast system with system was only obtainable by wide and prolonged travel, and such powers of expression in terse, pungent, but at the same time sufficiently elegant English, would not be acquired by any amount of reading and research, but were an innate peculiarity of the man.

But in his daring literary ventures, Young affords many opportunities for unfriendly criticism. We will mention three, one at least of which, we believe, has never been alluded to before, and that is the barefaced manner in which he would purloin the literary property of some brother quill-driver without acknowledging the source of his information. In this way he has extracted considerably over a page of Defoe's *Tour through Britain*, and inserted it in his *Six Weeks' Tour;* and it is not improbable that he borrowed from this writer the idea of thus starring the provinces in search of agricultural information. Our second objection to Young's literary excellence is that by professing a nicety in the selection of his language, he indirectly invited criticism on his use of words, and thus drew upon himself the charge of inconsistency. Thus Eden points out,[1] that Young in one of the letters belonging to the Northern Tour, rejects the phrase "labouring poor" as a meaningless term, and "what none but the most superficial reasoners can use." Yet he adopts the expression when, in the *Travels in France*, he speaks of our "labouring poor" as more at their ease than those of France. Our remaining objection to Young's literary feats is not so much his bad spelling, which is intelligible, but his reasoning, which frequently is not. Any one like ourselves, who has had to wade through the *Political Essays* in search of their author's philosophical views, will agree that there is an utter want of sequence of ideas throughout the entire work, and that it is almost impossible to follow any argument to its proper

[1] *Eden on the State of the Poor*, vol. i. ch. i.

conclusion. To go direct from the economic writings of Young to those of Mill is like emerging from the obscurity of the night into the clear, but not dazzling light of early morning.

There are some who have thought that he would have done better had he left the abstract side of the agricultural question to those more adapted by nature and education to cool and philosophical reasoning. Thus Donaldson, one of his biographers, complains that "though he collected a huge mass of miscellaneous information which had no small effect on the progress of agriculture, his ideas do not seem to have been very practically clear on any point, his vision was too hastily decisive, and the prospect dimmed by some crotchetty opinion."[1] Though to every word of this we subscribe, yet we cannot ignore the fact that Young's various crude attempts at philosophical reasoning were interspersed amidst a vast reservoir of accurate technical information, and though they would have been unreliable reading for the tyro, the veterans in political economy have always known how to pick out the silver from the dross. In fact, all our more modern economists have gone to him for what practical information they required, and, indeed, if only the mere secular reader of his works will bear in mind that his too exaggerated bias in favour of agriculture was caused, not because he was born a landowner and brought up a landholder, but because he was a physiocrat and a philanthropist, he will be able to appreciate all that is valuable in them while he is in a position to discount their many errors.

In another place, the biographer last alluded to remarks that, "like to all ardent temperaments Young had hailed the French Revolution as the dawn of a bright prospect to the human race, but being now placed" (by his appointment, forsooth, as Secretary to the Board of Agriculture) "under the shade of aristocracy, he rested quietly *sub silentio*, and never said a word more about revolutions, probably rightly thinking his income was more certain than anything that might lapse

[1] *Agricultural Biography, sub voc.* "Arthur Young." John Donaldson, 1854.

during the violent whirligigs of a civil turmoil." Never has Young been so calumniated; even Rogers gauged this side of his character better when he termed him "no lackey." If he had what phrenologists call "the bump of veneration," which is doubtful, it was there because of his exalted estimation of the British farmer. The natural influences of the industry he had so much at heart shed a halo round the heads of those employed in it, and he regarded landlord, tenant, and labourer in one light only; namely, in their relationship to the soil. "No apology is wanting," says he in his Preface to the *Six Months' Tour*, "for joining peers and common farmers in the same page. He who is the best farmer is with me the greatest man." If, therefore, he considered that his appointment to the Board had placed him under the shade of any aristocracy at all, it would be under that of an aristocracy of the plough.

We cannot pass over without comment one other sentence in Donaldson's short account of Young. This writer infers that "the rampant feelings which lead him into political and party themes were carried into his work for the Board of Agriculture, and not only eventually severed the claims of its vitality, but effected its dissolution." The best means of answering such a misstatement as this is to continue our narrative of Young's life and let facts speak for themselves.

The man who had his energy and talents might have been expected to succeed in any enterprise however arduous that he decided to take up. The only cause for surprise was his constant want of success. He received so little encouragement throughout the greater portion of his life that a less high-principled and enthusiastic temperament must have given in with disgust. To use his own graphic expression, he worked like a coal-heaver, though without his reward. His mind was always away at the farm, even when his body was doing unpalatable drudgery in the smoky Metropolis. Nothing can be conceived more incongruous than a parliamentary reporter who was also a farmer. Nevertheless, for several years Young, in this double *rôle*, was walking seventeen miles out to his farm in the country on a Saturday night, and the same distance back on the ensuing Monday, in order that he might combine a faith-

ful service to his employers in Grub Street, with a careful attention to the duties of his bucolic profession. It is doubtful if his countrymen have ever fully appreciated all the good which he did to English and Irish agriculture. Public institutions voted him their thanks, agricultural societies presented him with useless medals, the King gave him a Merino ram, and read with avidity all his works; eventually the Nation took him away from the sights and smells of the country which he loved, and made him her Secretary of Agriculture in the town which he loathed. But the man who is said to have saved the Irish Nation alone some £80,000 a year by exposing the follies of paying a bounty on the land carriage of its corn, deserved more generous usage than were any such empty compliments as these. It would have been well if the Government had pensioned him off before his eyesight failed, on some rustic spot where, in his own expressive words, he could behold "the russet landscape stealing into verdure till every scene is pregnant with delight—each field alive with tillage opening the grateful bosom of the earth to receive the seeds of those innumerable plants which vegetate for the wants or blossom for the pleasures of mankind." It is sad to think of Young towards the close of his life unable, save in imagination, to picture "the lawn alive with sheep, or spread with the picturesque labours of the haymaker, the stately oxen varying their march with the heat of the day, now in the vale, then in the shade of some spreading beech, or catching every breeze on the elevation of a hill, while the tinkling of the distant fold closes the eve." What a Principal would he not have made, had the Nation carried out such an institution as Evelyn planned, *i.e.*, a college for the reception of persons of a philosophic turn of mind, with its library, elaboratory, aviary, olitory garden, pavilion and conservatory, together with their healthful rustic surroundings!

The premature failure of Young's eyesight was, though the Nation did not recognise it as such, a public loss. But when he could no longer stimulate his fellows to fresh agricultural undertakings with his pen, his voice to the very last remained at their disposal. We do not care, however, to linger over the

sombre scene of Young, blind, old and infirm—the centre of a small group of Bradfield villagers to whom he is preaching religion. We prefer to leave him in the zenith of his usefulness, a public servant of the Government, co-operating with Sir John Sinclair in fresh devices for the promotion of husbandry, collating the county surveys for the Board of Agriculture, and instructing the youth of seven different nations in the rudiments of that industry which is both the most primitive and the most universal of any. We prefer to bid him good-bye before that abnormal energy of his had begun to wane, when the gold snuff-boxes and ermine cloaks are being showered upon him, and while he is still vested with the dignity of a public and a popular man.

## GEORGE III.

Highest in the social scale and probably second only to Young in the extent of his influence was the King himself. If anything could have reconciled the country squires of the period to accept with resignation a substitute for their beloved Stuarts, it would have been a monarch who was above all a farmer. George I. had not possessed one redeeming quality in the eyes of the English squirearchy to wean them from their earlier allegiance to the fallen dynasty. If he had been a good husband or a good Churchman, they might have been more able to forget that he was a foreign usurper. But he was neither the one nor the other, and like his son, George II., he had none of the qualities, save courage, that could attract the hearts of Englishmen. During these two reigns, Tory country gentlemen shunned the capital even at its gayest period, celebrating their minor festive seasons at York, Newmarket, Norwich, Bath or Shrewsbury, and rather than come into contact with Whigs and courtiers, providing for themselves amusements nearer home. The dilapidated old assembly rooms in many a market town bear witness to the truth of this assertion at the present day, as also does the fact that most of the eighteenth-century London clubs, still in existence, date from a period subsequent to the death of George II.

The third successor of the House of Brunswick was not

only an Englishman, but the very essence of a country gentleman. As far as he could turn Windsor Castle into a huge farmhouse, and its grounds into an agricultural holding, he did. Thackeray tells us how all the royal princes ran away from the dull routine of the Windsor life, with its early rising and early bed-going, its frugal meals and fixed rules. Farmer George was never so happy as when engaged in a technical discussion with an agricultural neighbour, sitting in his carriage with one of Young's works on his knees, or superintending the management of his stall-fed oxen on the Home Farm. He was just practical enough to attract the duller minds of the Tory squires, but too dense and obstinate to be popular with the statesmen, and too wanting in refinement to engage the respect of the aristocratic Whigs.

When on the death of its Ranger, the Duke of Cumberland, the great park of Windsor reverted to the King, it consisted of about 3,800 acres; of which about 200 were covered with water, 200 were planted, 300 were meadow, 200 arable land, and the remainder park. It was in a sad condition of neglect, consisting principally of rushy swamp and impoverished turf. There were besides a couple of hundred acres of detached arable land, so scattered that occasionally a mile or two intervened between two lots. There were bogs and marshes, in many cases dangerous to cross; and the common feature of the whole was poverty, a description which may include some 3,000 ill-conditioned deer starving on its pasturage.

King George set to work like a new broom. He drained, he rolled, he mowed, he harrowed, and he scarified. By one or other of these means he weakened the rushes, extirpated the moss, cleared off the ant-hills, and kept down the fern. Then he redoubled his efforts and re-arranged the whole place. He laid down unsuitable arable soil with grass seed, and he ploughed up bad turf for purposes of agriculture. He filled up pits, opened and smoothed valleys, ornamented hills with new plantations, and broke the vestiges of former hedgerows by judiciously planting single clumps of trees.

When all his improvements were completed, the sweet pasturage of the park proper was hardly recognisable under its

former coarse aspect, and what was not the glade and open of park scenery had been converted into two model farms. That on the extreme north of the demesnes, consisting of 200 acres of arable and 100 of old meadow land, was cropped exactly as the land was in Flanders, and was known as the Flemish farm. That on the opposite side, towards the great Western Road, was the Norfolk farm, consisting of 400 acres of lighter arable soil, 100 acres of those coarse meadow fields known at the time as leasows, 500 acres of sheep walk, and 200 acres of old meadow land.

On the heavy, strong land of the first farm a four course rotation, consisting of an alternate crop for man and beast, was practised. On the light land of the second farm, (1) wheat, (2) green vetches, potatoes, cabbages, buckwheat, or turnips, (3) barley with seeds, and (4) clover succeeded each other. The buildings on both farms were excellent, the labourer's cottages are described as having been model, and chiefly noticeable was a moveable barn with a yard attached, which, standing on wheels, was adapted for drawing over a long rick of corn. The Norfolk plough was used on the Flemish farm, and the lighter Suffolk implement on the Norfolk holding. A flock of 200 Cotswold sheep was kept on the first farm, and a flock of 400 Ryland wethers on the second.

We now come to conflicting evidences as to the number and species of draught beasts and the details of stall-feeding. Mr. Pearce, from whom we have hitherto derived our information,[1] states that on the Flemish farm the working establishment was 4 horses and 6 oxen, and on the Norfolk farm 18 horses and 6 oxen. A writer to the *Gentleman's Magazine* of December, 1799, bears out Young's statement of twenty years earlier, and affords us not only an insight into King George's strong preference for oxen as draught-beasts, but full details of their management. According to this anonymous writer, his Majesty in 1799 kept no horses, but 200 oxen (the same number as by Young's evidence he appears to have kept some twenty-five years before). Of these as many as 120 were or

[1] *Report to the Board of Agriculture, sub voc.* "Berkshire."

had been destined for the yoke. According to the management described by Young, they were separated out into lots as follows:—

There were 40 beasts actually in work, divided as far as possible into teams of six, one of which was rested every day so that no ox had more than five days' work out of the seven; 40 three-year-olds were bought yearly and kept as "succession" oxen in the park, and 40 seven-year-olds which were past work were summered on the best pastures and fattened off during the winter with turnips. Those actively employed on the farms and park were given during the summer a few vetches by way of a bait, and were run at night on to the coarse leasows. In winter they were fed with about twenty-four pounds of hay and twelve pounds of straw daily, but they were never allowed corn because it prevented their fattening so kindly afterwards. During the days of rest they ranged over the straw-yards, and sheltered themselves in open sheds, being advisedly kept free of hot, badly ventilated stables.[1]

Turning once more to Mr. Pearce's account we find that on the Flemish farm there were 18 store oxen, two-thirds of which were annually stall fed, and on the Norfolk farm 90, out of which one-third was stalled. But as we have said, Pearce tells us of four horses on the Flemish farm and eighteen on the Norfolk farm, two of which were employed with two of the oxen to draw the ploughs.[2] On the lighter land of the Norfolk farm it would be only natural to find a preference for horses, as the slow and ponderous ox did not adapt his pace to the mechanical variations of soil. It is to be regretted that the accounts of King George's practice are so irreconcileable, especially as we cannot feel entirely satisfied that

[1] There are incongruities in the statement of the correspondent to the *Gentleman's Magazine*, which somewhat shake our reliance on the trustworthiness of his facts. Thus he says in one place that 180 oxen were in actual work on the King's different farms, parks, and gardens out of the 200 kept, and in another place he states that 120 were in actual work. —*Gentleman's Magazine*, December, 1799.

[2] *Report to the Board of Agriculture, sub voc.* "Berkshire," 1794.

the vexed question of horses *versus* oxen as draught beasts has ever yet been thoroughly thrashed out.[1]

Farmer George's example was catching, and even statesmen forgot the cares of office for a while in attending to the wants of their cows and sheep. Mr. Prothero tells us how "Walpole opened the letters of his farm steward before he broke the seals of letters on State subjects," how Bolingbroke "read Swift's Essays between two haycocks with his eyes to heaven, not in admiration of the Dean, but in fear of rain," and how Burke "studied the wants of the carrot with the same enlightened understanding that he bestowed on those of the people."[2]

Let all then who are interested in agriculture forget the poor old king's stubborn prosecution of the American war and other political blunders for the sake of those benefits he undoubtedly conferred by the force of his example upon farmers. We, for our part, would fain obliterate from our thoughts the sad significance of the padded room at Kew, and remember only the red face beaming with suppressed merriment over the Windsor uniform, as, like Alfred of old, its owner turned the piece of roasting meat in the cottage kitchen. We prefer to dwell on his attempts to get rid of *triticum repens* from the farm, rather than on his efforts to weed the high seas of the French. We would merge the errors of statecraft committed by George the King in the many kindly actions of Ralph Robinson,[3] the writer to Young's *Annals of Agriculture*; and like his obstinate Tory subjects, yield him a willing allegiance for the sake of his exemplary domestic life.

He dissociated himself from most of the men who made his reign celebrated; he disliked Reynolds and Nelson, failed to appreciate Chatham, was out of touch with Burke, but he never turned his back on a poor man. Perhaps he erected as noble a monument of his sterling qualities as was erected for any of these, when he built that mill in Windsor Park from which

[1] Compare Walter of Henley's Statistics in Part I. of this work.

[2] *Pioneers of English Farming*, p. 78. R. E. Prothero.

[3] His pseudonym as an agricultural writer, *vide* Young's *Annals of Agriculture*, vol. vii. p. 71.

he served out gratis to the poor the flour which he had bought as grain in Egham market for 15*s.* 6*d.* a bushel.[1]

## THE FIFTH DUKE OF BEDFORD.

Associated with the records of English agriculture has been the name of Russell since the days when Francis, 4th Earl of Bedford, permanently benefited his country by turning into agricultural land the vast swamps of the Bedford Level. The Russell however who now held sway at Woburn was the famous farmer, 5th Duke of Bedford, who succeeded his grandfather in 1771. To him principally we owe the foundation of the Smithfield Club, and the initiation of local agricultural societies. He, like his sovereign, established at his home one of those small experimental farms which have done so much for English agriculture. Forestalling one of the chief uses of the Agricultural Show, he set to work to contrast the fattening qualities of all the best known breeds of sheep of his time; and indeed the annual sheep-shearing meeting at Woburn, with its prize-giving and ram-letting, partook more of the nature of a modern agricultural show, than of that for which it was primarily intended. There is in fact for the farming world nothing about this nobleman's exemplary life to which to take exception, unless it be its early close.

Let us endeavour to convey to the imagination a sketch of one of these great annual gatherings at Woburn, when, even before the break of the first day's light, the roads converging on the Abbey would have become congested with traffic. Many well-known celebrities, for want of an available conveyance, have been compelled to stump along the dusty highways. The early breakfast at 9 a.m. is over, and the great procession formed, long before most of the more distant travellers have reached their destination. Many arrive only to find that the bulk of the guests have already left the new farmyard where the five shearers are at work, and are inspecting the tups to be let on hire in the exhibition room. The Duke is even now distributing the various prizes to successful sheep-

[1] *Gentleman's Magazine*, August, 1795.

breeders. Mr. Smith of Northamptonshire is just receiving one for a wether weighing fifty-four pounds a quarter.[1] To his Grace's huge delight the Bedfordshire men have gained the rewards for successful ploughing with horses, but the prize for the best implement goes to Norfolk. The morning passes away all too quickly, and now the chief function of the day is at hand. Punctually at 3 p.m. the Duke presides at the great dinner in the Abbey hall, and after the numerous viands have been discussed and the King's health drunk, there is time at last to glance around and see who is present. Some two hundred leading agriculturists, of which one is a royal prince and many are of European reputation, grace the various tables. "Success to Agriculture" is proposed by Sir Joseph Banks, President of the Royal Society, and responded to by Sir John Sinclair, President of the Board of Agriculture. The "Fleece" is given by the Duke of Manchester, and suitably acknowledged by Bakewell.[2] The "Plough" and other toasts follow. Some one gets Arthur Young on his legs, and some one else, bent on hearing the Northumbrian burr, has Duckett up. Culley, who has long adopted as his home the county of the last speaker, sits yonder debating the Enclosure question with Stone of Leicestershire, and many others are present who have dragged themselves away from their reports to the Board in order to attend the meeting. Coke of Holkham is offering to lay a considerable sum in a wager on the superiority of his own sheep over any other wool-producing quadruped in the kingdom, and some one else is waxing noisily eloquent on the merits of Hereford cattle. It is 6 o'clock before the last toast is honoured, and the company make the most of the twilight to secure their rams for the ensuing autumn. Thus glide by five days of early summer, fraught with importance to the interests of agriculture. The Duke clears over a £1,000 in letting out on hire some seventy

[1] This was in 1799.—*Gentleman's Magazine*, August, 1799.

[2] I must ask the reader's pardon for a few anachronisms wittingly perpetrated in order to make the picture complete. Bakewell, for example, was already dead, and they were drinking his memory in solemn silence.

South-Down and New Leicester rams. Wool-staplers depart laden with merchandise. Flockmasters sum up their takings at the rate of 1*s.* per pound for long wool, 1*s.* 10*d.* for South-down, and as much as 5*s.* for Anglo-Spanish. Experts who have met and exchanged views, go back to their farms either shaken or confirmed as to their previous convictions. Many are disposed to practise secretly as an experiment what possibly they openly ridiculed when under the influence of his Grace's good cheer, and all are perfectly satisfied that the few hours thus stolen out of the busiest working season of the year have not been wasted, even though no lucky bargains have helped to replenish their purses.[1]

## BAKEWELL.

It would never do to omit in a chapter like this a short visit to Dishley, though Bakewell belonged properly to the professional class of husbandman. No one approaching this farm could fail to recognise that he was in the vicinity of one who practised the most advanced husbandry. There was a neatness about the hedgerows and a cleanliness about the grounds which at once attracted attention. There being no inn in the neighbourhood visitors had to rely entirely on the hospitality of Bakewell, nor did they suffer on this head. From the moment that they set foot on his ground to the moment that they withdrew it, they experienced the greatest civility from master and servants. No one could fail to recognise the great farmer. He was from all reports the prototype of Leech's John Bull (which, unless we are mistaken, represents the portrait of a well-known Yorkshire agriculturist now dead). In Bakewell were combined the weather-beaten jovial visage, the broad shoulders, the hearty manner and stout frame of an English yeoman. From the loose brown coat to the leather breeches and top boots John Bull stood personified. Even in the days when women curtsied and men bowed before addressing one

[1] Compare *Gentleman's Magazine*, August, and Supplement, 1799, and *Journal of the R.A.S.E.*, *sub voc.* "Agriculture of the House of Russell." By the Editor, vol. ii. p. 11, 1891.

another, Bakewell was considered a courteous specimen of society. His whole life even to its meals was the common every-day routine of the well-to-do grazier. At midday on the hard benches of his kitchen every grade of social distinction was to be found partaking of his famous mutton and beef. His parlour walls had resounded with the admiring expressions of every European tongue. He had talked farming-shop to German Highnesses and Russian Counts by the score, but to the last he remained that strange mixture of simplicity and shrewdness which is the unique possession of the British farmer. After his visitors had partaken of true English hospitality, the object for which they had come was speedily taken in hand. Two veteran herds, each with his staff of office (hazel sticks), proceed to parade the different cattle. John Breedon, after thirty-two years' practice, and his comrade, William Arnold, after twenty years', had become so disciplined to this service that they knew their duties to perfection, and could point out the various beauties of each animal quite as well as their master. William Peet, the oldest retainer of any, awaited the visitors at the stables. If Bakewell happened to be from home, Honeyborne, his nephew, presided and did the various honours. There were all the punctiliousness and order of a barrack. The master, though the essence of obliging urbanity, would not put either himself or his livestock out for any consideration. Fixed hours governed his own habits as well as those of his sheep and cows, and it is doubtful if the most highly privileged visitor could have got his host to set back the hands of the clock for his convenience had some mishap of the road delayed him beyond the proper hour. At eight o'clock Bakewell breakfasted; at one he dined; at nine he supped; and at eleven he went to bed. Regularity he found tended to keep his household in health, and he applied the same specific to the inmates of the cowhouse and stable. Every beast knew to a moment when its turn would come for the parade, so chewed its cud free from disturbance and alarm.

To all, however, who conformed with his rules Bakewell afforded a liberal share of his busy afternoons. No one was expected to leave till he had not only tasted the far-famed

mutton or beef, but seen each species alive and dead, and heard the history of its career. Bakewell had a prejudice against showing his animals in the stall. According to long-established custom, each sheep was brought into a specially designed show-yard at one door and led out by another, the worst first, the best last. There was much to see, such as graceful heifers and their dams, sheep of wonderful symmetry, horses a picture of strength and sturdiness, and hogs, in their exaggerated obesity, the personification of ugliness. Guest after guest would linger long about the noble white bull Twopenny, the great ram Two-pounder, or the magnificent black cart stallion.

When all the live stock had been paraded, the visitors were shown the carcases of different kinds of sheep, in order that they might judge for themselves which species was likely to take the butcher's fancy. Here Bakewell would pause, to tell his visitors that he was not breeding live-stock for the epicures, who were fanciful about their mutton, and dissatisfied if its gravy was not claret-coloured. The larders for which he catered were those of the town operative; and so, when he showed any one a pickled neck of mutton, four and a half inches thick with fat, he asked him to picture it, not dished up for the evening repast of some noble lord, but the centre piece of a Sunday dinner for a half-starved family in the potteries. He would point out that there is a great difference between the ox carrying thirty stone in roasting pieces and twenty stone in boiling pieces, and another of the same weight, with the preponderance of its flesh in the boiling parts. His principle was, the "smaller the bones the truer the make of the beast and the quicker its capacity of maturing." As an illustration of his meaning, Bakewell would produce the huge bone off a neck of mutton which he had once picked clean in a Norfolk inn,[1] and ask his friends to compare it with those that they had helped to polish at his own table.

It is doubtful, however, if such evidences would have had much weight on the mind of an expert. Young, for example, when he visited Dishley in 1771, thought nothing of the speci-

[1] *Annals of Agriculture*, vol. vi. p. 476.

mens kept only for comparison; though the pickled sirloin of old Comely, a twenty-year old cow, encased in four inches of solid fat,[1] was a phenomenon which sharpened all his remarkable powers of observation, and determined him to examine before leaving into every detail of the management at Dishley. It was characteristic of Young to form his opinion from the merest trifles; and just as afterwards in Catalonia he satisfied himself of the Spanish shepherd's judicious management by observing that his sheep followed him instead of his following the sheep, so now, when he saw the bulls quietly standing in the field at Dishley, to be handled or gently led home by a slip of a boy with a switch, he became at once assured that they were in good hands. With the eye of the expert, Young criticised the various animals as they were led past him, recognising in the cattle the small-boned, long-horned peculiarities of the Lancashire breed which Bakewell chose as the basis of his herd in preference to the Lincolnshire and Holderness varieties. Then came the rams and ewes, all "as fat as bears" (Young notes down), "with bodies trim as barrels, backs round and broad, and legs not six inches long." But he is not content with ocular evidence, and handles their backs and necks, being encouraged by Bakewell to look for fat even on their forelegs and ribs. How their owner must have enjoyed this appreciative visitor, especially when, with pocket measure and book, he notes the height, girth, and breadth of the sheep, and is only deterred from still further research by a sharp shower of snow.[2]

Then came the cart horses, bred like Bakewell's oxen and sheep, close to the ground, with thick, short bodies and legs. The next spectacle for this distinguished visitor was the feeding of the live-stock; and here he observes that the fatting oxen got corn, cake, straw, hay, and turnips, and the lean beasts straw only. He particularly notes the small quantities given at a time, and the clean way in which the last morsel is licked up. He examines the cisterns at which the animals not provided with turnips are watered daily; and when he hears

[1] *Gentleman's Magazine*, Sept., 1793.

[2] *Farmer's Tour through East of England.* A. Young, vol. i. p. 110.

that Bakewell erected all these appliances out of his own purse, he records the fact "as a remarkable instance of spirited husbandry."

But Young was too true a farmer to find no fault where fault was findable; so, when he comes to the general management of the holding, he begins to criticise not altogether favourably. On 440 acres, 110 of which are grass, he is both amazed and pleased to find so large a stock as 60 horses, 400 sheep, and 150 beasts. He makes no objection to the husbandry, 15 acres of which are wheat, 25 spring corn, and 30 turnips. Nor can he disapprove of the practice of floating some 80 acres of low-lying meadows, or of Bakewell's persistent aim to convert as much arable land as he can spare into pasture. Walking over one of these areas of new turf with its thick covering of white clover, he asks his guide the secret of his success, and is surprised to hear that each acre has been seeded down with 10 lbs. of broad clover and half a bushel of rye grass. On asserting his own personal preference for white clover and trefoil, his host deftly recalls him to the ocular proofs around him of the superiority of the Dishley process. Convinced by such an object-lesson as this, Young next asks Bakewell how he had been able to rid his land of "the couch, twitch, and other trumpery," which had so often smothered his own sprouting grass-seeds. He is assured that the entire success of his host's system can only be attributed to the extreme care bestowed on the preliminary clearing of the land, and the subsequent thick dressing of farmyard manure—a combination of processes which seemed to replace as if by magic the moribund clover with natural grasses and honeysuckle. In one direction, however, Young could not be reconciled to Bakewell's economy, and, indeed, when he revisited Dishley fifteen years later, it had been altered. He noticed that the stall-fed cattle were not littered, and that their manure was kept two or three years before being deposited on the arable land. Instead of being "like dark butter," it was "powdery, like snuff," and Young could not see the benefits derived by Bakewell from making a present to the nearest ditch or horse-pond of all the liquid constituents of the cow byre and loose box, but preferred Mr.

Bevor's practice, who, as far as possible, filtered the liquor through a compost of earth, decayed vegetable matter, and marl,[1] and thus retained much of its manurial value.

Bakewell possessed a considerable amount of dry humour, and delighted in telling people how once, at Loughborough Fair, a sharp-featured grazier demanded of him the selling price of a ram which he had just let for the season at the usual sum of 25 guineas. Seeing that his intending customer knew nothing of the bargain recently completed, and quite as little about the value of the sheep, he asked in jest 25*s.*, upon which the wary dealer tried hard to beat him down to 18*s.*[2] If it be true that this great breeder once received 1,200 guineas[3] for the hire of one ram during a single season, the meagreness of this offer is absurd in the extreme.

Like most public-spirited pioneers of this century, Bakewell had his reverses of fortune, and is said to have been bankrupt in 1776.[4]

## THOMAS COKE.

Not far distant from Rainham were situated the estates of Coke, that district which, as Defoe describes, was from Holkham as far as Houghton, a wild sheep-walk before the spirit of improvement seized its inhabitants. Not an ear of wheat was to be seen between the Park and Lynn. Rye cultivated without manure struggled to exist amidst the hungry soil. At this period its owner was earning for himself the reputation of "the handsome Englishman at Rome." At Longford in Derbyshire can be seen the portrait of a man dressed in a pink and white masquerade dress holding a mask, while in the background is visible the statue of a reclining Cleopatra at the moment that she is supposed to be applying the asp to her arm. This represents the future agriculturist at the period when Horace Walpole writes: "The young Mr. Coke is returned from his travels in love with the Pretender's queen,

[1] *Eastern Tour*, vol. i. pp. 110–115.
[2] *Report to the Board of Agriculture*, *sub voc.* "Leicestershire."
[3] Chamber's *Encyclopædia*, *sub voc.* "Bakewell."
[4] Id., *Ibid.*

who has permitted him to have her picture." But over one of the chimney-pieces at Holkham is Gainsborough's portrait of Coke the farmer. Here he is depicted in the act of loading a gun, a sporting dog lies at his feet, and he wears the long boots, broad-brimmed hat, and shooting jacket of the country gentleman of a century ago.

Coke, after his return from Rome in 1774, became not only the Father of the House of Commons but the Father of his Norfolk tenantry. With little or no previous experience, but with the greatest enthusiasm, he took up in 1778 the profession of husbandry on a vacated and impoverished holding of his own. In one or other of the magnificent rooms at Holkham, possibly in the great saloon, periodical discussions between himself and his farmers occurred. We can imagine the latter wide-eyed and open-mouthed studying the sheep in Lorraine's landscapes, whilst their owner picked up hints about the real animals outside.

He next took in hand a portion of his estate, containing some 3,000 acres of indifferent soil, and in spite his outlay and labour bills not only put aside some £2,000 as rent, but attempted to make an annual profit besides. As a farmer Mr. Coke, so Young tells us, had three objects in view: (1) To discover the means of securing food for sheep in the spring when turnips fail. (2) To discover the best substitute for common clover upon lands surfeited by its repeated sowing. (3) To make certain experiments on objects not sufficiently attended to, but inferior to the preceding in importance. The first he found in sainfoin hay, which served him in good stead whenever the snow or frost prevented him getting at his turnip crop. The second he found in a mixture of burnet, white clover and rib grass; and the third led him into numerous experiments out of which he derived the following facts: That the best preparation for wheat was a clover ley, ploughed once at the time of sowing; that, if not at the plough at any rate between shafts, oxen were preferable to horses; that ducks got rid of the black canker in the turnip crop; that oil cake was a more forcing fertiliser than either farmyard dung or the fold; that Bakewell's breed of sheep was the most

the world, and that it was more useful to the
l less injurious to his men, if they worked in
er morning church than if they brawled in the
houses.[1] Coke, however, probably did more good as a landlord than as a farmer. Whatever practice he found to answer in his own case he pressed on the attention of his tenantry. He encouraged his farmers to consider themselves secure in their holdings, and at least two years before a lease expired he put the occupier upon a footing of certainty by stating to him the terms upon which he might expect to renew it. Though the advance of rent was often very great, no single instance is on record of any tenant leaving his holding.

He attempted to grow wheat and succeeded; his tenants attempted to grow wheat and succeeded. He began to marl and bone his land, and his tenants followed his example. He top dressed the soil with Dutch oil cake, and they, seeing what profitable results ensued, adopted the process on their own holdings. He borrowed from Sir Henry L'Estrange his method of cultivating sainfoin, obtained 265 loads, averaging over a ton each of excellent hay off 104 acres, and induced his neighbours to try it for themselves. He picked up hints on turnip drilling at Rainham and scattered them broadcast over his estates. No wonder then that though he doubled and quadrupled his rents,[2] he could, as Nathaniel Kent asserted, be justly styled one of the best landlords in the country. Yet this was the man whose heart the Norwich weavers, in 1815, would have burned on a gridiron because he had consistently voted for "protection to agriculture." Lord Albemarle graphically describes the scene as follows:— Coke and a neighbour had attended a Cattle Show in the Norwich Castle Ditches. The well-known Protectionist was recognised by an Anti-Corn Law mob and attacked. A butcher, named Kett (unlike in disposition to his rebellious namesake of Tudor times), opened the door of a pen in which stood for

[1] *Annals of Agriculture*, vol. ii. p. 382.
[2] *Report to the Board of Agriculture, sub voc.* "Norfolk."
[3] Id., *Ibid.*

sale a large bull. Twisting its tail he turned the maddened beast loose among the rioters who fled helter skelter in a trice. Before they had rallied sufficiently to renew the attack the Riot Act had been read and a troop of the Black Brunswickers had interposed between them and their intended victim.[1]

In 1784 Young writes: "There is one article of real utility and true magnificence in the environ of a great residence, with which Mr. Coke is distinguishing his celebrated seat, that I should be unpardonable to omit noticing; it is new built farm houses, with barns and offices substantially of brick and tile, in as complete a style as can be managed. There is no article that ornaments a country more than this. Nor did Mr. Brown ever plan an approach to a great mansion that marks so much real splendour, equally pleasing to the eye and to the heart, as well built farms and cottages. This is the diffusion of happiness; an overflow of wealth that gilds the whole country, and tells the traveller, in a language too expressive to be misunderstood, *we approach the residence of a man who feels for others as well as himself.*"[2]

A little later, in 1821, Cobbett overlooking the fact that he was eulogising an opponent of William Fox and a disbeliever in Adam Smith's free-trade doctrines, summed him up at his true worth when he described his relationship to his tenantry as that of a parent to affectionate children. The last impression that we shall leave on the reader of this benevolent country gentleman, is the scene on June 1, 1819, at Holkham. It is the occasion of the annual sheep-shearing, which, in point of attendance if not in other respects, eclipsed that at Woburn already described. Coke, now an old man, presides in the state apartments at a dinner party which numbers over 500 guests. The Duke of Sussex graces the place of honour next in importance to that of the host. Experts from all parts of Europe are present. The usual loyal and technical toasts have been drunk. Foreigners in broken English discuss agricultural practices with typical beef-eating Britons. The properties of crushed oyster-shells as a manure are being freely

[1] *Fifty Years of my Life.* G. T., Earl of Albemarle.
[2] *Annals of Agriculture*, vol. ii. p. 382.

advocated and opposed. The whole table is put into a roar by some witticism of Erskine's, who, inexpert, therefore uninterested in the discussion, makes it an excuse to point a joke against his own profession.[1] This great assembly, lasting fully as long as the Woburn one, was the outcome of those beforementioned homely discussions between on the one hand a landlord feeling after agricultural enlightenment, and on the other hand a few ignorant husbandmen brought face to face with their own deficiencies. Now the one is considered the founder the others are recognised as the foremost exponents of a world-famed system.

But it is time that we ceased to visit the homes of England's agricultural worthies. Our object has merely been to expose the fallacies and prejudices which even now encompass the practice of amateur farming. If our readers are still unconvinced of the importance of the assistance afforded to this national industry by what they have now read of Tull, Young, Bakewell, Coke, etc., we shall never convince them by persevering in the same direction.[2] If on the contrary they estimate such efforts at their true worth, let them draw on their own memories and experiences for examples to supplement our list. Let them recall to mind the familiar names of nineteenth-century experts. Lord Althorp and Messrs. Booth and Bates, renowned for their shorthorns; the Prince of Wales, Lord Walsingham, Jonas Webb, and Mr. Colman for their Southdowns, Lords Wenlock and Zetland for their Shropshires, and Sir John Lawes and Dr. Gilbert for their experiments in husbandry. The only danger in enumerating a few names such as these is the probability of appearing to slight by omission the merits of many equally worthy of mention. It matters not who of these were successful in a pecuniary point of view and who were not. "The thriving

[1] *Fifty Years of my Life*, vol. ii. p. 115. G. T., Earl of Albemarle.

[2] I would fain, did space permit, draw a pen and ink sketch of Robert Brown, who farmed at Markle, in Haddingtonshire, in 1794. He was one of those invaluable mortals who combined scholarship with practice. His writings were translated into German and French, and many foreigners came to see for themselves the practice which his literary works had elevated to European renown.

or not thriving of these gentleman farmers," says the same old writer quoted before,[1] "cannot clear up that point, because their living depends not on the produce of their farms. But when a poor lad that has served them comes to be set up in a farm, when he practises the same method and thrives with it, this is demonstration to a common farmer that observes it, and he will immediately become a convert and follow the same course." These words written nearly one hundred and fifty years ago illustrate a void in the agricultural system of the present day which no surfeit of cheap literature however simple, or technical education however handy, will fill up.

[1] *A Dissertation on the Chief Obstacle to the Improvement of Land*, etc. Aberdeen, 1760.

## CHAPTER XVI.

### THE MISMANAGEMENT OF LANDED PROPERTY.

For a general view of the husbandry of the period many of the statistics gleaned by Young in his three English tours[1] are sufficiently accurate. For any important details we shall have to search the various Reports sent to the Board of Agriculture some twenty years later.

The country thus closely scrutinised (not merely visited) by Young must have comprised an area little short of 150,000 acres. In his Northern tour alone he visited some 70,000 acres which composed two hundred and fifty separate tenancies. In his Eastern tour he examined some 50,000 more acres, and from the Reports of these two tours we shall now give a few interesting details.

STATISTICS OF YOUNG'S NORTHERN AND EASTERN TOURS COMPARED.

| | *Northern.* | *Eastern.* |
|---|---|---|
| Average rent per acre ... ... ... | 10/- ... | 9/5 |
| Draught cattle ... ... ... ... | 1 to 27 acres | 1 to 46 |
| Cows ... ... ... ... ... ... | 1 to 24 ... | 1 to 43 |
| Fattening beasts per arable acre... ... | 1 to 32 ... | 1 to 31 |
| " " " grass " ... ... | 1 to 16 ... | 1 to 31 |
| Young cattle " arable " ... ... | 1 to 14 ... | 1 to 16½ |
| " " " grass " ... ... | 1 to 7 ... | 1 to 17½ |
| Sheep " arable and grass ... | 1 to 1 ... | 1 to 1½ |
| Men servants ... ... ... ... | 1 to 143 ... | 1 to 204 |
| Maid servants ... ... ... ... | 1 to 191 ... | 1 to 561 |
| Boys ... ... ... ... ... ... | 1 to 287 ... | 1 to 374 |
| Labourers only ... ... ... ... | 1 to 96 ... | 1 to 80 |

[1] *Six Weeks' Tour through the Southern Counties of England and Wales*, 1767; *Six Months' Tour through the North of England*, 1768; and *Farmer's Tour through the East of England*, 1770.

| | *Northern.* | *Eastern.* |
|---|---|---|
| Labourers including servants ... ... | 1 to 57 ... | 1 to 56 |
| Wheat cultivation of the whole area ... | $\frac{1}{10}$ ... | $\frac{1}{11}$ |
| Barley „ „ | $\frac{1}{13}$ ... | $\frac{1}{13}$ |
| Oats „ „ | $\frac{1}{14}$ ... | $\frac{1}{31}$ |
| „ „ of the arable area ... | $\frac{1}{7}$ ... | $\frac{1}{9}$ |
| Pease „ of the whole area ... | $\frac{1}{38}$ ... | $\frac{1}{52}$ |
| „ „ of the arable area ... | $\frac{1}{13}$ ... | $\frac{1}{30}$ |
| Beans „ of the whole area ... | $\frac{1}{48}$ ... | $\frac{1}{80}$ |
| „ „ of the arable area ... | $\frac{1}{24}$ ... | $\frac{1}{33}$ |
| Turnips „ of the whole area ... | $\frac{1}{30}$ ... | $\frac{1}{18}$ |
| „ „ of the arable area ... | $\frac{1}{10}$ ... | $\frac{1}{7}$ |
| Clover „ of the whole area ... | $\frac{1}{44}$ ... | $\frac{1}{10}$ |
| | $\frac{1}{23}$[1] .. | $\frac{1}{6}$[2] |

The greater part of the kingdom Young found to be divided into medium-sized farms, those in the North averaging 300 acres inclusive of waste, those in the East 561 acres. Great farms, some as much as 6,000 acres, preponderated in Northumberland and Worcestershire, and there were nine farms over 1,000 acres in the East, but all these consisted chiefly of moors, which could have had no useful existence as holdings under a less extensive system. The relation of grass land to arable astonished even Young, who found the proportion far more equal than he had been led to expect, though he had long foretold that the mixed system of husbandry would prove the most remunerative. In the North the proportions were as near as possible equal; in the East the grass was equal to both the arable and woods put together, and the latter area averaged over 40 acres. He considered the proportion which draught cattle bore to the area under cultivation in the North excessive; in the East moderate, *i.e.*, "not consistent with the best husbandry, but at the same time in no dangerous excess." The proportion of other live-stock to area was fair both in North and East, and that of labour much under what it ought to have been in the North, but better than he should have expected in the East. He found no fault with the large attention paid to wheat cultivation throughout the country, but termed the proportion of oats to barley (because of the

[1] *Six Months' Tour through the North of England*, vol. iii. p. 218.
[2] *Farmer's Tour in the East of England*, vol. iv. p. 378.

ıasting effects and comparative uselessness of
ı melancholy consideration." He would have
seen a greater proportion of leguminous crops
ə feared lest the sterilising effects of the latter
might soon prove permanently deleterious to the land. Taking the statistics as a whole, he was so far reassuring as to assert that "under such a rural economy no kingdom could be called badly cultivated."[1]

Dividing next the entire number of holdings into classes, according as their acreage varied between 50 and 100 acres, 100 and 200 acres, and so on, he found that the excessive proportions of draught cattle to acreage before mentioned were entirely owing to the wasteful economy practised on small holdings, that cows were naturally less plentiful on the larger farm on account of its poorer pasturage. The numbers of fatting cattle and young stock were favourable to the economy of "middling sized" holdings, and the numbers of population decreased from 20 souls on farms above 1,000 acres gradually as the scale descends to 11 on farms under 200 acres. "Great farmers," he points out, "are generally rich farmers, and it requires no great skill in agriculture to know that they who have most money in their pockets will, upon an average, cultivate the soil in the most complete manner; good culture in most cases, is but another word for *much* labour."[2] A great portion of the labour on a large farm comes under the head of *extras*. Improvements, such as marling, chalking, paring and burning; periodical tillages such as turnip-hoeing, etc., required extra labour at certain seasons which did not appear in his estimate of permanently employed hands. "On the other hand, great farmers," he shows, do not keep nearly the proportion of servants, maids and boys, that the smaller ones do. The superiority in population of the larger holding "lies totally in labourers, indeed it would be useless and impossible for them (large farmers) to keep the proportion of servants as small farmers, their houses would not contain them. But it is not the employment of single hands," he sums up, "that

[1] *Farmer's Tour in the East of England*, vol. iii. p. 378, etc.
[2] *Six Months' Tour through the North of England*, vol. iii. p. 255.

promotes population, but that of men who have families, and this circumstance must operate strongly in giving so great a superiority to large farms."

But what most astonished Young, while it confirmed his views in favour of large farms, was the regular increase in producing capabilities of the various holdings in direct ratio to their rents. Farms from £50 to £100 per annum averaged a yield of 27 bushels per acre of corn and pulse; those from £100 to £200, 28 bushels; those from £200 to £300, 29 bushels and those above £300, 34 bushels, and wherever the rents were low he found the husbandman a sloven. This induced him to preach the harsh doctrine of high rents and low wages, for which he is more than once taken to task by fellow agriculturists in their correspondence with the Board of Agriculture.[1]

The fashion of sowing considerable quantities of superfluous seed per acre seems to have been general, though of course the broadcast system requires more than that of the drill. It is doubtful if the following table of Young taught the husbandman to mend this practice.

| *Crop.* | *Seed per acre.* | *Yield per acre.* | | | |
|---|---|---|---|---|---|
| Wheat | 2 bushels | 22 bushels | | | |
| „ | 2 to 3 „ | 23 „ | | | |
| „ | 3 „ | 23 bushels 1 peck. | | | |
| Rye | 1 to 2 „ | 26 „ | | | |
| „ | 2½ „ | 29 „ | | | |
| „ | 3 „ | 24 „ | | | |
| | | qrs. | bus. | pks. | |
| Barley | 1 to 2 „ | 4 | 2 | 2 | |
| „ | 2½ „ | 3 | 3 | 3 | |
| „ | 3 „ | 3 | 4 | 0 | |
| „ | 3½ „ | 4 | 1 | 0 | |
| „ | 4 „ | 3 | 6 | 2 | |
| „ | 4½ „ | 3 | 6 | 1 | |
| Oats | 1 to 3 „ | 4 | 1 | 0 | |
| „ | 3 to 4 „ | 4 | 0 | 0 | |
| „ | 4½ „ | 4 | 5 | 1 | |
| „ | 5 „ | 6 | 0 | 1 | |
| „ | 7 „ | 6 | 0 | 3 | |

[1] *Vide*, for example, the Report from Cheshire, 1794.

| *p.* | *Seed per acre.* | *Yield per acre.* qrs. | bus. | pks. |
|---|---|---|---|---|
| reuse ... | 1 to 2 bushels ... ... | 1 | 7 | 0 |
| „ ... | 2½ „ ... ... | 2 | 4 | 1 |
| „ ... | 3 „ ... ... | 2 | 4 | 0 |
| „ ... | 3½ „ ... ... | 2 | 7 | 0 |
| „ ... | 4 „ ... ... | 2 | 6 | 0 |
| „ ... | 4½ to 5 „ ... ... | 2 | 6 | 2 |
| Beans ... | 2 to 2½ „ ... ... | 3 | 3 | 2 |
| „ ... | 3 to 3½ „ ... ... | 3 | 3 | 3 |
| „ ... | 4 to 4½ „ ... ... | 4 | 7 | 1 |
| „ ... | 5 to 6 „ ... ... | 4 | 1 | 2 |

The general yield of all six crops from the various courses then in fashion averaged per acre as follows:—

| | |
|---|---|
| A crop and a fallow ... ... ... ... ... | 3 qrs. 6 bus. |
| 2 „ „ ... ... ... ... ... | 3 „ 2 „ |
| 3 „ „ ... ... ... ... ... | 3 „ 5 „ |

Garstang seems to have been the only district in the North where a system of four crops and a fallow was practised. Young found farms miserably understocked. It was not unusual for a beginner to start to cultivate a farm worth £100 a year in rent with only £400 of capital. Horses were just taking the place of oxen, much to Young's regret, who clung to the old method by which farmers kept three sets of plough beasts, viz., the young cattle coming into work, the teams actually employed, and the fattening beasts that had served their three years at the yoke. Unfortunately many farmers, tempted by the high prices prevailing in the market for lean cattle, took to selling the first named set, and then when their system broke down decided in favour of the horse as a beast of burden. Bakewell, on his light loamy farms, used cows for draught purposes, deeming them faster than oxen; and Arthur Young, who saw them at work, corroborated this view.[1] Sir Edward Littleton, of Teddesley Park, near Lichfield, wrote, "that for all home business oxen are more advantageous than horses in every respect, if drawn single and with an inverted collar as horses are." For light work he used the faster stepping *spayed heifer*, and for the hardest work of all he used *bulls*. *Martins* had been tried, but were found to be inferior

[1] *Eastern Tour*, 1771. A. Young.

both as regards their labour and their meat.[1] Whether King George used all oxen or mixed teams is doubtful; he was a champion of ox labour, but, as we have before shown, his chroniclers differ as to his practice, Young asserting that on the Royal farms at Windsor no single horse was used for tillage, though the number of working oxen exceeded two hundred; but Pearce, who wrote the Berkshire Report for the Board of Agriculture, and who was the nephew of Kent, the King's farm manager, asserts that mixed teams were used.[2]

The French too, deceived by the statistics of authorities who had based their conclusions on false premisses, had begun to to discard the ox for draught purposes. Men like the Marquis de Mirabeau had been pointing out that oxen as beasts of burden were entirely confined to the parsimonious economy of *petite culture*, and that horses were universally used on the large holdings of advanced agriculturists. But, as Young demonstrated, Mirabeau omitted to mention that this proved nothing, because the draught beast of the wealthy farmer was kept in a warm stable and fed on the fat of the land all the year, while his wretched bovine substitute was let loose by his impoverished owner on the commons to pick up an insufficient livelihood anyhow.[3]

But whichever species of beast was in use, it is clear that, as compared with the present day, double the necessary labour was required to draw the ponderous plough then in fashion. The celebrated author of *The Pirate* dubs the old Scot's plough "a heavy cartload of timber," which would appear "no less strange to the Scottish farmer of this present day, than the corslets and casques of the soldiers of Cortes might seem to a regiment of our own army." And yet in the *Farmers' Magazine* for July, 1800, a Scotch farmer describes the Hertfordshire implement as worse still. "An old Scottish plough," he says, "is but a child in comparison with this giant. Five

[1] *Annals of Agriculture*, vol. iv. p. 329.

[2] Compare *Six Months' Tour*, vol. iii. pp. 163–186; *Pearce's Report of Berks to the Board of Agriculture;* and *Gentleman's Magazine*, Dec., 1779. See also page 345 of this History (Part II.).

[3] *Six Months' Tour*, Letter xxxiii. vol. iii. p. 185.

are usually employed in the draught, and yet, strange ıl, the furrow we sow does not exceed four inches in deepness. I have seen land ploughed full deeper with one horse." "In May, 1796, I saw," writes the Middlesex correspondent to the Board, "in one day two teams with six horses in each and three men to attend each team, namely, one to hold the plough and two to drive the horses, ploughing with a wide furrow about three-fourths of an acre per day." And the Northumberland reporter animadverts on the prejudice which induced farmers to retain the unwieldy wheel-plough with its five horses when the single swing plough and two horses yoked double would do the same quantity of work equally well and at one-third the expense. Young's statistics however assure us that in a few districts a better practice was in vogue. Thus, though on the sandy soils around Woburn Broughton, West Drayton, Kirby, etc., he reports the use of three or more horses to one plough, he shows us that on the stiff clays of Howden, Thorn, Kirkleatham, etc., more than two horses were rarely employed. Speaking generally, however, the mixed team of two horses and two oxen was most favoured irrespective of the quality of the soil.

Young, in his description of the various courses practised throughout the country is not very satisfactory, and here the records of the Board of Agriculture prove invaluable. The practice of bare-fallowing seems to have died hard and the use of the various roots as cleaning crops to have been long coming to the birth. On the very stiff and undrained clays summer-fallowing for wheat was perhaps necessary, indeed it is a practice not wholly abandoned at the present day, but, wherever the turnip would grow, this old and expensive process of resting the land was unnecessary. Yet at the time of which we speak the clays of the East Riding were cultivated as follows:—

1. Fallow (limed).
2. Wheat.
3. Beans.
4. Barley with clover seed.

5. Clover manured.
6. Wheat.
7. Beans.
8. Barley.
9. Beans.

On similar lands in Staffordshire, fallow, wheat, oats and two years' seeds rang the changes, and on the thin stapled clays of Lincolnshire and Cambridgeshire a still greater resemblance to the old three-field system was observable. On the heaviest soils of Essex the practice of a single crop and fallow was still in fashion. Even on light soils the Norfolk four-course rotation was not by any means universal. Two crops of barley came between turnips and seeds in Hertfordshire; wheat succeeded turnips in many parts of Sussex; a pernicious economy, for it compelled the farmer to feed his turnips off with sheep before they were ripe. Wheat, barley or beans, oats and a fallow were the commonest course in Dorset, though the writer of the report recommends as a substitute—wheat, turnips, Lent grain with seeds and clover. In Oxfordshire on the common fields the rotation was:—

| | | |
|---|---|---|
| Fallow | | Fallow. |
| Wheat | | Wheat. |
| Pease or Tares | or | Barley. |
| Oats | | Turnips. |
| Turnips | | Barley or Oats. |
| Barley | | Seeds 1 or 2 years. |
| Clover | | Oats. |

Amidst the enclosures it was:—

Turnips.
Barley with seeds.
Seeds 1 or 2 years.
Wheat.
Oats, pease or beans.

Thus it will be seen that bare-fallowing was still largely practised; and, in their correspondence with the Board, agriculturists even from the more enlightened districts felt it worth

their while to discuss this vexed question. For example, the Norfolk correspondent writes: "Nature does not seem to require any pause of this kind; all plants make their annual shoots as regular as the day succeeds the night. The earth was evidently designed to yield a regular uninterrupted produce, and it does so where we leave it to itself. The idea of leaving land to rest is ridiculous; keep it clean and intermix the crops upon it judiciously, so that one may fertilise as much as another exhausts, and it may be sown as a garden is planted from one generation to another." But the whole difficulty lay in deciding which crop would fertilise and which would exhaust, for what was to one class of soil meat might easily have proved to be another's poison. It was therefore the difference between the various soils and the systems of their tenure which prevented all agriculturists from adopting the rotation of crops practised in the Norfolk writer's locality. Even there complaints had already begun to come in that the land was "clover sick," and thus we have the Essex correspondent to the Board reporting the use of tares as a substitute.

Then again sainfoin in many of the southern counties, pastured year after year till the crop failed, had been (is now, in fact) found preferable as a culmiferous crop. On lands subject to Lammas tenure it was of course useless to sow clover, and so we read, in the Middlesex report, of farmers in the Chiswick district anxious to pursue a rotation consisting first of pulse, then of turnips, next of oats, or barley with clover, and lastly of wheat, but forced to grow vetches for spring feed, or a pulse crop to be gathered green, next turnips to be sold off to the London cowkeepers, then wheat, and finally barley or oats. Though in this latter rotation they had to manure the land twice instead of once (viz., before the pulse crop and between the two white crops), and though they saw that the land suffered more by this than the other rotation, they were deprived of all choice in the matter by the inutility of cultivating clover, the aftermath of which would have been only beneficial to the Lammas graziers.

Then, too, custom of the country and the terms of his covenants to a certain extent limited the farmer in his choice of a

proper rotation. The Board had particularly solicited information upon these two points, and it would almost seem probable that upon the brains of Sinclair, Young or McCall some conception of an Agricultural Holdings Act was beginning to dawn. At any rate, though nothing came of them for nearly a century, it is interesting to examine the particulars thus placed at the State's disposal.

Leases were by no means general over England at this period. Thus in Cumberland most farms were held by verbal contracts for seven years, which were for all practical purposes little better than no agreements at all. In the West Riding of Yorkshire a greater part of the land was set without leases, the farmers being yearly occupiers, removable on six months' notice. In East Anglia leases were by no means universal, though strongly advocated. In Northamptonshire and Bedfordshire the majority of the farmers were tenants-at-will; in Derbyshire and Leicestershire there were very few leaseholders, and they decreasing daily; and in Berkshire we read of a rooted dislike on the side of the landlord to anything of the kind. In Durham and Buckinghamshire there was a system of short leases, but in the greater part of the country, as, for example, in Northumberland, Essex, Herts, Hants, Wilts, Somerset, etc., leases lasting for three years, or some multiple of three years, were in vogue. Usually the period was twenty-one years, terminable at every seven, and renewable by the tenant on the payment of a fine. The truth is that every lease was tainted with the influence of obsolete feudal tenures. The very fact that its term was some multiple of three denotes that it originated under the trinity system of husbandry. Clauses were common enough referring to the tenants' attendance at court and to the grinding of corn, etc., at the landlord's mill. Boon service was still required in addition to the money rent. In Scotland the delivery of grain or "victual," and the supply of carts and horses required from the tenants under the heading "prestations," were so excessive as to interfere with good husbandry. Indeed, in many cases they were advisedly rendered impossible to perform, so that they might constitute a power on the part of the landlord, by

suddenly enforcing them all, to get rid of an obnoxious tenant at any time, thus virtually transforming what was legally a lease for years into a tenancy at will.[1]

Then, too, the periodical payment of a large sum to the landlord by its very name of fine recalls a feudal incident, irksome enough when applied to the proprietorship of land, but doubly so when associated (like the heriot) with its occupation and agriculture. To compel a man to pursue a course of husbandry the success of which would periodically mulct him of a large proportion of his earnings was to place a premium on bad management, and represented a policy only a degree less disastrous to landlord than tenant.

Another form of lease was for three lives, the tenant paying a small annual acknowledgment, performing sundry boon services, and paying the fines levied on each successive death. If he wanted to put in one or two extra lives he had to raise capital for the additional fines. If the lord allowed the lives to run out, which he seldom did, he got his land and buildings returned on his hands in a ruined condition.

In Devonshire, where there were mostly miniature farms consisting of a few tiny enclosures, the general method was for landed proprietors to lease out the tenements of their manors for ninety-nine years determinable on three lives, taking fines for such leases and reserving no more than about a shilling in the pound of the yearly value. Men of small fortune seized this opportunity "to purchase" what they called "an estate," which also served as a handy investment for the money which their wives brought them as dowries. It was said to be the principal cause of the poverty palpable in this district, as it caused a difficulty in getting good tenants at rack rents for all holdings exceeding a yearly value of £100, and also proved a bad security for the farmer's capital.[2] Such leases were also prevalent on the church lands in Durham and Hampshire, as well as on the properties of laymen in Lancashire. In the last-mentioned county especially, they seem to

[1] *Dissertation on the Chief Obstacles to the Improvement of Land*, etc. Aberdeen, 1760.

[2] *Tour Through Britain*, vol. i. p. 361. Ed. 7. Defoe, 1769.

have been more or less marketable commodities, their value being reckoned at fourteen years' purchase, and their possessors being allowed to do pretty much what they liked with them, so long as they paid their dues and did not trouble their landlords about repairs.

A third and less common form of lease is mentioned by the Hants correspondent to the Board, namely, for one life, the objection to which was that when the tenant became advanced in years he ceased to lay out capital in necessary repairs or improvements, and this writer suggests as a remedy that such leases should be prolonged seven years beyond the death of the sitting tenant, presumably to enable the landlord to foresee and guard against the danger of having a ruined holding returned on his hands. It was perfectly clear to every one interested in the land that at no time in the history of the national agriculture was there greater room for improvement. The newly enclosed lands were undergoing a transition stage from the obsolete husbandry practised by the villein to the scientific process adopted by the leaseholder. Every newly hedged holding was the theatre of experiment; every district had its peculiar system of cropping, and every farmer prided himself upon his own special management.

But the new tillages required improvements of a permanent and expensive nature. "Before a farm can be put in proper order," writes the correspondent from the East Riding, "a considerable time must elapse and much money must be expended. The fruits of improvements are not gained all at once, and a number of years are required to accomplish the best digested plan." This, he goes on to say, was especially the case whenever an improving farmer entered upon an exhausted holding. Without a long lease the tenant might have been interrupted in the midst of his career by receiving a six months' notice to quit. "The farmer who sits without a lease has scarcely the privilege of thinking and acting for himself," says another writer in the same county, and he goes on to prove his statement by citing a case where the tenants of a northern estate got notice to quit their holdings *because they had turned methodists.* Thus we may well believe Arthur Young

when he declares in his *Political Arithmetic*,[1] some twenty years earlier, that "the improvements which have taken place in England have been almost entirely owing to the custom of granting leases, and that in those counties, where it is unusual to grant them, agriculture continues much inferior to what it is to be found where they are usual." This is fully borne out by the reports to the Board. "In this county," writes Mr. Nathaniel Kent, from Kent, to Sir John Sinclair in 1794, "it is rather the fashion to grant leases, which in a great measure accounts for the improvements that have taken place in it; most of the great estates have been made from it, for without leases no marling to any extent would have been undertaken, nor so much ground brought into cultivation by one-third as there is now. The Holkham estate alone strongly proves this assertion, as its rental has been increased in the memory of man from five to upwards of twenty thousand pounds a year in this county only, and is still increasing like a snowball."

Many of the Board's correspondents, however, admit that exceptional cases were possible, in which no landlord could be expected to tie up a holding too long. Land close to the mansion house might some day be wanted for a home farm. Estates might be sold and the purchaser might require immediate possession, or they might be shortly falling into the hands of a minor who would resent what he might regard as a premature disposal of his interests.[2] But the principal cause of the landlord's reluctance is probably discovered in the assertion of another writer, who says, "they imagined that a long lease made the tenant insolent and independent." In Salop vaguely worded covenants had led to much litigation, and lessors had begun to exhibit an illfounded jealousy towards lessees. Magnanimous landlords, however, ignored any such mean objection, and men like the Duke of Norfolk and Mr. Coke went out of their way to initiate the custom in districts where it was unusual.

[1] *Political Arithmetic, or Observations on the Present State of Great Britain*, etc. London, 1774.

[2] It must be remembered that we are writing of a time when a lease was not binding on the remainderman.

Admitting, then, that, under the circumstances of the times, any lease was preferable to none at all, let us now examine their various defects, some of which were, perhaps unconsciously, pointed out by the correspondents to the Board.

It is quite evident that one uniform model would not suit the peculiarities of every district. For example, in Lancashire the introduction of manufactures had tended to minutely divide leasehold property. Each township had one large farm which, from its designation of the "Old Hall," or "Manor House Farm," was obviously at one time the residence of the great proprietor. The rest of the district, more especially where it was suburban, was split up into small holdings from fifty to twenty acres in size. Since immense quantities of milk, hay and grass were required in the large towns, pasturage and meadow predominated over arable land, and especially in the fertile Fylde country the plough had of recent years given place to the scythe. Close to Liverpool cow-keeping had already become the chief pursuit of the husbandman, though around Preston, but chiefly on its eastern side, oats, occasionally varied by a crop of potatoes, were grown year after year, until the much abused soil compelled its occupier to bare-fallow. The tradition that the county was the mother of English potato culture, combined with the demand for this vegetable in the towns, had hitherto kept out the turnip. Save a half-hearted attempt on the Wrightington estate in the middle of the century, there is no early record of the cultivation of this famous root as a field crop. Now though this brief glance at Lancashire husbandry a hundred years ago (very similar to what it is now) proves the necessity of some form of restrictive agreement, it is quite obvious that its clauses would have had to have been framed on very different lines to those in an agreement adapted to the circumstances of any of the neighbouring counties. There are many districts still in Lancashire where no agreement exists, and where a love of his native place (almost as powerful as that of the Irishman) predisposes the farmer to remain generation after generation in one locality and pursue a proper system of husbandry. Then, too, accessibility to an inexhaustible supply of cheap

town manure obviates any necessity for binding him to consume the bulk of his produce on the holding.

Let us take another example. It might have been supposed that in Norfolk neither landlord nor tenant would have objected to the terms of an agreement which compelled the latter to adopt the four-course system. But this would not have availed in any locality where rights of commonage were still claimed and practised over many of the enclosed lands. No system of improved husbandry was possible, for instance, in the township of Froston, in which one crop was sandwiched in between two fallows. The latter process, in the words of Arthur Young (who wrote the report from Suffolk to the Board), consisted "in leaving the land to weeds for the flock of one farmer, who, by prescription, is the only person that can keep sheep in the parish!"

Again, it was a practice in Scotland, and, for all we know to the contrary, it may have been so in parts of England, for a landlord to nominate a certain tract of his estate a farm and to let it out to a number of tenants without assigning to each individual any distinct share of it. The outfield, the pasture, the fauchs, etc., would be left in common and its farmers made to arrange amongst themselves each person's share in the husbandry. One idle or depraved member of this small co-operative society was quite capable of ruining the rest. For unless all the cattle and sheep on the holding were carefully herded during the seven winter months, grass, pea, turnip, and even wheat-sowing were impossible, though the terms of the lease might render the cultivation of one or more of these crops imperative.[1]

There is therefore ground for fault-finding not so much because in no two districts were either leases or customs the same, as in the fact that leases often contained clauses restricting tenants to a course of cropping utterly unsuited to the circumstances of their particular locality. In our examination of the various rotations we found bare-fallowing still prevalent, and we shall now see that the lease was almost invariably to blame

[1] *Dissertation on the Chief Obstacles to the Improvement of Land*, etc. Aberdeen, 1760.

for this. Perhaps, however, the chief and universal defect in every agreement of the period was the absence of all reference to compensation for unexhausted improvements. Without that the lease, in contradistinction to the yearly agreement, was a necessity; but with the addition of a fair arrangement on this head few modern agriculturists, except under unusual circumstances, will advocate any longer term of tenancy than that provided by the yearly contract. In Northumberland and Cumberland the tenant was compelled to lime, manure and fallow one-third of the tillage lands and to lay down and keep them in grass at least two or three years. In Durham he was restricted in his husbandry and made to bare-fallow at fixed intervals. In Yorkshire, on the estates of the Duke of Norfolk and other advanced landlords, the covenants are strikingly similar to those of the present day. Of course there is no mention of unexhausted improvements, but the tenant has to consume hay and straw on the premises, dung a part of his meadow land annually, not have more than one-fourth of the farm under the plough at one time, and is compelled to pay a penalty of £10 per acre for all old pasture converted into tillage. In Northamptonshire the tenants were restricted as to their husbandry and sales of produce. In Wiltshire similar regulations were in force, though the main peculiarity of the leases was a clause compelling the tenant to keep up a full flock of sheep. In Somersetshire, where the grasslands were most prized, the tenants were not allowed to convert tillage into pasturage or meadow, or to pare or burn the turf, or to mow any field two years in succession, or to plant potatoes for sale. They were obliged to spend all hay and straw on the premises and leave all dung and straw of the last year's making for the succeeding tenant.

Though the engrossing of farms had no deterrent effects on population, it must have had on husbandry. The process of consolidating several holdings into one has been already described elsewhere; its influence on cultivation was as follows. One individual monopolised as many different farms as he could get possession of. These were often situated wide of each other and were each occupied by an underling, paid at

ten shillings a week to live in the ruins of the old mansion or farm house and act as foreman-labourer on the land. In the course of a tour taken by the Essex correspondent to the Board he stumbles across an exaggerated instance of this "holding off hand," as the process was more commonly termed. "An overgrown farmer's wife (sic)," he states, "observed to him with much indifference that her husband had but *nine* farms in his occupation, each of which, upon further inquiry, was found to be equal to the care and capital of the same number of equally skilful and respectable, though perhaps not such wealthy and imperious families."

Yet common though this practice was, a careful scrutiny of all the reports to the Board results in the discovery of but one instance (that of Rutlandshire) where a small penalty of ten pounds a year is imposed in the agreement, in order to induce a tenant to occupy the farmhouse instead of subletting it. But it does not appear that this pernicious practice was strictly legal, for the Tudor legislation, which does not seem to have been subsequently repealed, rendered any person liable to the forfeiture of three shillings and fourpence per week so long as he held two farms together in the same parish.[1] Whether, however, it was legal or not, many landlords offered no objections to a system, which they imagined enabled a farmer to support his one family out of several holdings, and would consequently leave him with a larger surplus of profits wherewith to pay his rents.

There was yet another cause why farmers were restricted in their choice of crops. The buildings were more adapted for the wants of the old "three-field" system than for those of the new husbandry. Little or no room was available for housing cattle and roots; on the other hand, a large surplus was available for those who preferred to stack rather than to house their hay and straw. In Northumberland an ordinary-sized barn was sixty feet long by eighteen feet wide. In the West Riding of Yorkshire the barns were likened to churches. In Norfolk, similar erections, costing £500 to build, were con-

[1] *Conf.* 25 Hen. VIII. c. 13, and 32 Hen. VIII. c. 28.

stantly to be found on holdings yielding a mere £100 per annum in rent. In Gloucestershire they are described as considerably too large for the holding. But in both this and the Norfolk district, the farmers refused to stack their cereals on staddles, and preferred to utilise the barn in order to save the trouble of thatching.

Buildings, as a rule, were badly situated, more often than not in groups among the villages, and far away from the land, which often stretched in a long line from one end of the lordship to another. This we find from the reports to be the case in the West and East Ridings of Yorkshire, Hertfordshire, parts of Middlesex, Gloucestershire, Leicestershire, etc. Here again is a case where the bad effects of the older economy permeated the new. Few landlords were like Jonathan Ackham of Wiseton, who (we learn from the Nottinghamshire report), as soon as the Enclosure Act dealing with his district became law, erected seven brand new homesteads on central sites about his estate. Even in Derbyshire, where materials were so handy that every necessary building for a holding yielding £200 a year in rent, could be erected for £500, we find no such wholesale improvements as this. Though Northumbrian architects were still building homesteads in a line rather than in a square, we read of more than one new set of farm buildings in Staffordshire laid out so as to shelter a compact fold-yard; of the model farm at Sutton Court, near Chiswick, where the farmyards were so constructed as to shelter cattle from the weather; and of a similar principle both advocated and practised in the East Riding of Yorkshire.[1] In the cheesemaking districts of North Wilts, buildings, especially dairies and cowhouses, were more advanced than those amidst purely arable localities. No farmer seems to have really believed that his corn was the better for being housed in the barn; but all thatching, besides being expensive, tended, as the correspondent from the East Riding points out, to deprive the land of manure. It would appear that the Dutch barn was already known, for the Staffordshire reporter

[1] Some architects advocated the polygon for the proper shape of farm buildings, *vide Rees' Cyclo., sub voc.* "Farm."

advocates its adoption, and the Hertfordshire writer suggests an insulated barn built on piers or pillars, by which description he evidently means the same construction. The great drawback to improvements in this line was not so much any reluctance on the landlord's part to add fresh buildings where necessary, but to make a clean sweep of badly situated homesteads and commence *de novo*. The Shropshire correspondent recognises this, but he points out that homesteads were originally built in low-lying localities for the convenience of a water supply, and that if the health of the farmer's family is to be considered, and the best products of his manure utilised, the proper site should be some high ground, where the rain and melted snow would wash the waste liquors of the fold yard away in to the land.

Perhaps we could hardly expect to find that a landlord would thus cripple his means at a period when he was, as a rule, not expected even to repair buildings. After he had once made them tenantable his obligations on this score, in the majority of districts, terminated. In the extreme north, landlords, save such as the Dukes of Northumberland and Norfolk, Lord Derby, etc., did nothing to the buildings, though in Durham most of them were exceptionally generous. In many parts of the Midlands the tenant was entirely responsible. In Norfolk, on the other hand, the landlord was generally liable. In Wiltshire he did all the work except that of thatching and glazing. In Sussex, Berks, Somerset, etc., he found timber and other materials in the rough, also the labour of the thatcher, and in a very few districts, such as Durham, he held himself responsible for the repairs to main walls, timbers and roofs. It does not follow that, in localities where the tenant alone was liable, the buildings were most deficient, for the report from Berkshire eulogises the condition of the homesteads, while in another paragraph it mentions that the onus of repairing entirely lay upon the occupier.

There seems to have been very little co-operation between the landlord and his tenantry at this period of their history. When a farm fell vacant it was generally proclaimed in open court[1] or put up to auction; sometimes it was advertised

[1] Norden's *Surveyor's Dialogue.*

by ticket or written proposal; but in all three cases it was set to the highest bidder.[1] No consideration was given to the qualifications of the applicant as regards capital, character, and experience. Landlords were accustomed to remunerate their agents on the same disastrous percentage principle which has caused so much mischief in Ireland. "To my knowledge," asserts an anonymous writer, in 1785,[2] "it has been the custom of landowners, more particularly within twenty miles of London, for many years past, as soon as the lease is expired, to trick up the house, make the homestall neat, and raise their lands from three to five shillings per acre, perhaps more perhaps less, rightly supposing that, though the farmers in the neighbourhood should refuse to give that rent, it will catch the eye of a cockney, who, inflated with the idea of his superior knowledge compared with that of a common farmer, will think an advance of a few shillings per acre of no great importance; for he shrewdly reasons within himself that though it may not be worth quite so much now, yet by his improvements it will presently be worth a good deal more. And what's the event?—why, independent of his own ruin, the farm is raised perhaps one-fourth above its ancient rent, to the prejudice of the neighbouring farmers and the nation at large, and a benefit to no individual but the landowner. However, by the by, it is only a *temporary* benefit to *him*, for he must certainly suffer in common with the rest of the people by every national evil." A little further on the author terms

[1] The following advertisement cut from the *Farmers' Journal* shows that this custom prevailed at the beginning of the present century:—

*Farms in the East Riding of Yorkshire.*—Notice is hereby given, that the time which was allowed for delivering in at Mr. Prickett's Office, in Bridlington, Proposals for taking the Farms at Rudston, Caythorp, and Bessingby, in an Advertisemnt of the same to be Let, and was limited to the last Day of the present Year, will be extended unto Saturday, the fourteenth day of January, 1809, owing to the heavy fall of snow, which has deprived many gentlemen of an opportunity of finally viewing the same, preparatory to sending in their proposals.—*Bridlington*, Dec. 22nd, 1808.

[2] *A Political Enquiry into the Consequences of Enclosing Waste Land*, etc.

these retired tradespeople "new fashioned farmers," who, "succeeding so ill in their undertakings, and being governed by books," bring the latter into bad repute amongst those genuine husbandmen whose practice would be all the better for a little theoretical knowledge. The system of paying the estate steward out of the profits from agreements and leases not only held out an incentive to him to let the holdings at as high a rent as possible, but to select that kind of tenant who would be likely to require replacing in as short a time as possible. An individual who has to look for his livelihood out of the profits on leases, deeds of distress, surrenders, and the fees of entry, and who, at the same time, can gratify his purblind employer by showing him an increased rent roll, has every inducement to mismanage the estate in this direction. "At length," says Marshall, "when the lands are completely exhausted, the buildings let down, the gates and fences broken and destroyed, the water courses choked up, and the roads impassable, the tenant runs off, and the farm lies unoccupied, a very blank in the rent roll!" "For the life-tenant of an estate whose age is advanced a temporary increase of the rent roll might be advantageous, but for any owner at all interested in the welfare of the remainder-man, such an improvident practice," urges this same writer, "becomes altogether irrational," and here, perhaps, is one of the main arguments in favour of hereditary property.

It will by now be evident that everything connected with the letting of farms militated against good husbandry. The farmer who wanted a holding ought to have had double the capital required for merely stocking it, or the bulk of his spare cash would have been absorbed in paying the fines and that large item which, under the head of "good-will," was demanded by the off-going tenant as a right. In some ways, of course, this system of good-will neutralised the bad effects of no compensation being allowed by the landlord for unexhausted improvements. The off-going tenant was more or less encouraged to continue a system of good husbandry to the last, in the hope of receiving an equivalent from his successor, under the head of emblements; but it was not fair for the in-comer

under this pretence to have to pay for any improvement which was calculated to increase the landlord's profits.

Nor had this consideration escaped the notice of the advanced thinkers of the day. In the reports to the Board, both from Cumberland and Essex, attention is drawn to the subject, and an outline sketched of the following form of lease, proposed by Lord Kaimes, and amended by Dr. Anderson, in an agricultural survey of Aberdeenshire.

In Scotland it had long been customary to grant leases for twenty-one years, and it was assumed that during this comparatively brief period it was possible for both landlord and tenant to justly estimate the value of the land. Lord Kaimes proposed that this term should be extended indefinitely, but that at fixed periods a certain rise in the rent previously agreed upon should take place. If, however, on the one hand, the tenant could not see his way to carry on the farm at this increased rate, he might, by giving one year's notice before the close of the lease, determine the tenancy; if, on the other hand, the landlord thought he could better his position, he might, by giving one month's notice, oust his tenant. It might, however, occur that the increased value of the holding was, either entirely or partially, due to the exertions and expenditure of the tenant, and therefore Lord Kaimes stipulated that the latter should have the option either (1) of receiving ten years' purchase of the increased rent, or (2) of remaining under a still further increased rental, or (3) of being entitled to a ten years' purchase of the difference between the increased rent specified in the original lease and his additional offer of rent refused by the landlord.[1]

At first sight it would seem that every inducement possible would have been thus offered to a tenant to pursue a course of approved husbandry, and all necessity for restricting his course of cropping removed. But on closer scrutiny Lord Kaimes' scheme was discovered to contain grave defects. In almost

[1] All the good effects of this principle are contained in the form of lease used on the Holkham Estate, and better still in the yearly agreements of the Helmingham Estate.—*English Land and English Landlords.* Note on p. 373, G. C. Brodrick.

all the leases of the time there were clauses very properly restricting a tenant from injuring or deteriorating the timber and young wood on his holding. In none were there any inducements held out to him to improve it by planting. It was therefore proposed to insert a further clause, allowing him to cut all timber at pleasure for the use of the farm, which had not been specially reserved by the landlord at the outset of the tenancy, but compelling him to leave as valuable a stock of trees as he found on entry; and further, during the last six years of the tenancy he was to be entitled to sell off or receive an equivalent price for all timber in excess of that, the valuation of which was taken at his entry. Then too, in case he might be inclined, having once made up his mind to quit, to deteriorate the land by cross-cropping, or the buildings and fences by neglect to repair, a further clause was suggested, restricting his system of husbandry and sale of produce during the last six years of the lease, and providing for the arbitration of two honest men in order to value the damage sustained by the landlord by his neglect on these heads.

This proposal was a proper step in the right direction. It was the first recognition of a tenant's rights to unexhausted improvements, but it was hardly just to the landlord's side of the question. It contained, in fact, all the serious objections which still cling to every lease relating to the agricultural tenure of land. The occupier was absolutely secure of receiving his proper dues at the determination of the tenancy, because he had in his hands the best of security for his landlord's undertaking; but the latter had literally none, for even the farming stock that he employed (as many a modern land-agent knows by bitter experience) might be some one else's property.

It would therefore seem that, at the very least, Lord Kaimes should have inserted a power of re-entry as soon as the landlord failed to receive his rent at the proper periods. This, with his exceptional powers of distraining, might have enabled him to curtail, if not entirely prevent, a loss which, otherwise, would have swollen year by year into disastrous proportions.

# The Nineteenth Century.

## CHAPTER XVII.

### THE LAND FROM THE CITIZEN'S STANDPOINT.

THE end of the century was obscured with the shadow of coming Reform. All the controversies with which we have hitherto dealt in these pages were now approaching a crisis, and the results are to be found in those laws relating to the labourers, the poor, the titheowners, the farmers, and the landlords, which fill so many pages of the statute book referring to the first half of the present century.

It will be our principal task in the few remaining chapters of this volume to complete our examination of the various causes which led to the General Enclosure Acts of 1801, 1836, and 1845,[1] to the emancipation of labour by the repeal of the Elizabethan Statute of Labourers in 1813 and 1814, and the removal of the prohibitions against the combinations of workmen in 1825,[2] to the redistribution of the Franchise in 1832,[3] to the abolition of Recoveries in 1833,[4] to the Poor Law Reforms in 1834,[5] to the Commutation of Tithe in 1836,[6] to the extension of the qualification for a seat in the Lower House of the Legislature to other forms of Property besides Realty in 1838,[7] to the evasion by the commercial interests of their liabilities for Land Tax in 1833,[8] and for Poor rates in 1840,[9] to the Enfranchisement of Copyholds in 1841,[10] to the altera-

[1] 41 Geo. III. c. 109; 6 and 7 Will. IV. c. 115; 8 and 9 Vict. c. 118.
[2] 53 Geo. III. c. 40; 54 Geo. III. c. 96; 4 and 5 Geo. IV. c. 95 and 97.
[3] 2 and 3 Will. IV. c. 45.
[4] 3 and 4 Will. IV. c. 74.
[5] 4 and 5 Will. IV. c. 76.
[6] 6 and 7 Will. IV. c. 71.
[7] 2 and 3 Vict. c. 48.
[8] 3 and 4 Will. IV. c. 12.
[9] 3 and 4 Vict. c. 89.
[10] 4 and 5 Vict. c. 35.

the laws of realty in 1844 and 1845,[1] to the Repeal of the Corn Laws in 1846,[2] and to the complete abolition of a property qualification for members of the House of Commons in 1858.[3]

A hundred years had created a vast alteration in the circumstances of the National Husbandry. In 1696 the annual yield of wheat had been estimated at 2,000,000 quarters; in 1796 it was probably double that amount. Pepys speaks of corn as a miracle of cheapness, of farmers who were ready to fling up their holdings, of landlords eager to sell their estates for sixteen years' purchase. Houghton prices good beef at 2*s.* per stone, and mutton at 2*s.* 4*d.* But when Young was writing his *Annals* a hundred years later, farmers were paying heavy premiums for entering on their holdings, land was seldom valued under thirty-three years' purchase, and often up to fifty years, and wheat, mutton and beef were double their old prices. Outsiders began to regard with envy the apparent prosperity of the landlord and farmer, and to contrast their affluence with the want and poverty of the rural labourers, who were just then beginning to advertise their distress in the form of bread riots.

We propose in this chapter, therefore, to examine the Landed Economy of the period from the aspect of the manufacturer. Unfortunately, we shall have to regard with suspicion and examine critically all objections emanating from this source, as being tainted with prejudice and prompted by self-interest; for by now a marked and growing tension was clearly visible between the landed and commercial classes.[4] The town politician regarded every attempt to defend the vested interests of realty as prompted by what Macaulay has called "the passions and prejudices raging without control in vicarages, in

[1] 7 and 8 Vict. c. 76, and 8 and 9 Vict. c. 106.

[2] 9 and 10 Vict. c. 22. [3] 21 and 22 Vict. c. 26.

[4] An antagonism which has not died out yet, alas! "I wish you every success," telegraphs a Radical merchant to a candidate for Parliamentary honours in this very year, 1893. "We have been represented long enough by owners of land whose property has been made what it is by the outlay of our capital." Vide *Standard*, March 2, 1893, *sub voc.* "Election Intelligence."

cathedral closes, and in the manor houses of fox-hunting squires.[1]

On the other hand, the landlords and the farmers would perhaps have clothed their jaundiced sentiments of town life in the language of the poetically-prejudiced Southey. Everything connected with manufactures "presents features of unqualified deformity. From the largest of Mammon's temples down to the poorest hovel in which his helotry are stalled; these edifices have all one character. Time will not mellow them, nature will neither clothe nor conceal them, and they will remain always as offensive to the eye as to the mind."[2]

To tempers chafed by the interference of the trader, the manufacturing system, though it had largely benefited, and was still more largely to benefit agriculture, appeared exactly in the light which this same poet afterwards represented it. "It was more tyrannical than that of the feudal ages, a system of actual servitude, a system which destroys the bodies and degrades the minds of those who are engaged in it," and the only hope for England was that foreign competition should drive it out of the field and exterminate it.[3]

Such exaggerated caricatures of the sober truth tended to work incalculable mischief to both these monied interests. The merchant, quick enough to detect the weak point in his adversary's harness, enlisted the sympathies of labour on his side; but though, by thus making capital out of the grievances of the peasantry, he contracted a formidable alliance, he, at the same time, aroused a power which one day might prove too strong for his control.

Unfortunately, for our present purpose, the common dangers and necessities of property, personal as well as real, were not to bring about a reunion between the two chief factors in the National Capitalist class for nearly a century; and the rest of our History must be mainly occupied by the struggles of the one side to retain, and of the other side to wrest, advantages

[1] *Critical Essays: Life and Writings of Addison.*
[2] Southey's *Colloquies on Society.*
[3] Id. *Ibid.* Maucaulay's *Critical Essays.*

which should have been amicably distributed between them according to the altering exigences of the times.

It is not, however, to be supposed that the records of unpublished Parliamentary debates will as yet furnish us with information on this subject. The House of Commons was in that intermediate stage, when, just having freed itself from Court influences, it was struggling as far as possible to keep independent of popular control. No outside circle of non-voters, like that about the earlier gatherings of the Witenagemot, sought by noisy approval or dissent to guide its course of action. Garbled versions of its debates alone penetrated the people's ears, and members were seldom called to account on the few occasions when it was necessary for them to meet their constituents. For many years, therefore, the controversy between trader and squire was not heard within the precincts of Westminster, but was confined to ominous growls which broke out in various congested centres of the counties.

The origin of the Radical Party is wrapped in obscurity. In the contests between the Royalists and the Parliamentarians of the seventeenth century we find an acute phase of that inevitable collision which occurs from time to time in every community between the authority of government and the freedom of the individual. The principles of popular rights swayed the Roundhead, those of personal power the Royalist; and the same sentiments afterwards drove the Whig into one camp, and the Tory into the other. Then ensued a very curious period in the history of political strife. The Tory still clung to his predilections in favour of divine right, the Whig to those in favour of popular right; but there was a king who trusted for the safety of his crown to the popular party, and a Government which maintained its existence and power by opposing the worshippers of established authority. The Whigs in order to keep out the Stuarts upheld the prerogative of the Crown, and the Tories, in order to promote the cause of an exiled king, posed as popular champions.

Before even the close of the second George's reign, a section of the Whigs, animated by hatred for their leader Walpole, had made overtures for political union with the Tories. At

the accession of George III., a Coalition Ministry was in power; a little later there was the unheard-of phenomenon of a Tory Adminstration. But this was a period when politicians were influenced more by the principles of popular leaders than by the tenets of parties. We read of Newcastle, the Whig, continuing the discreditable practices which had brought Whiggism into disrepute, and of the elder Pitt, who refused to be called a Whig, upholding the original principles of that party by personally discountenancing bribery and place-seeking.

Such an unnatural condition of politics could not, however, continue long. The Tories, after the accession of George III., had begun to abate much of their original animosity for the House of Brunswick. The Whigs, no longer obliged to emphasize the rights of the reigning sovereign, found time to advocate those of the people, which, after all, were the key-note of their political belief. A section of the party began to evince impatience at the slow progress of democratic reform. Amidst, however, the excitements of constant war, but little room was found for domestic reform, and both the Land question and the Agricultural question were in a state of suspended animation. The consequence was, that Liberals and Whigs were often members of the same Cabinet, and Radical measures, if discussed at all, were not the special province of either landowner or trader. The Duke of Richmond, as well as Alderman Sawbridge, advocated annual Parliaments and universal suffrage; and the Westminster Committee of Correspondence, which may be regarded as the Radical organization in embryo, was largely composed of landowners in both Houses. Thus in such a heterogeneous assembly, the special interests of neither party were fitting subjects for discussion; and its members contented themselves for the present in stumping the Provinces as advocates of the reduction of expenditure, the abolition of sinecure offices and exorbitant pensions, and the reform of constitutional abuses.

Then changes began to take place in the views both of individuals and of parties. Charles James Fox left the Tories to become a Radical, and the younger Pitt drew closer to the

throne. The next phase in the strife is Pitt, once an ultra-Whig, now posing as an absolutist, and Fox and the popular party out of public favour. How long this condition of affairs would, under ordinary circumstances, have existed, it is impossible to say; but ere the Radicals had time to rally, the adverse influences of the French Revolution were upon them. The country shrank with the greatest horror from their doctrines as though the events across the Channel had revealed its close proximity to the giddy brink of a dangerous abyss. Burke, though tainted with the tenets of Radicalism, now found it his first duty to stem the tide of democracy, and to sever his long connection with Fox. The remains of the Whig party became disintegrated and scattered. The Government brought in and carried without a division a somewhat arbitrary measure against freedom of speech, only justified by the necessity of the moment.

Though for a time reforms were practicable in the systems neither of land nor of Parliament, it will be well if we glance first at what was simmering regarding our special subject in the brains of the Radical at this period, and then, at the manner in which the process was arrested by the excesses of a similar, though more revolutionary, school of thought in Paris.

It was natural that the Radical party, having once adopted as its principles the championship of popular rights as opposed to those of the central authority, would come to take up an antagonistic position with regard to seignorial powers over the land. In thus acting, an addition to its strength was acquired by the combination of all those interests which were injuriously affected by the monopolies of the landlord. Owners of landed property had nothing to gain, everything to lose in the ensuing contest. Such rights as could be wrested from the landed proprietor would go to swell the advantages already possessed by the manufacturer and merchant. Thus regarded, an explanation is forthcoming why, ultimately, the representatives of the commercial interests with few exceptions joined the ranks of the reformers, while a large majority of the country gentry formed the nucleus of the future Conservative Party.

In a history dealing with the Landed Interest, it is essential

that we should accentuate that phase of political strife which relates to the opposing interests of Land and Trade, bearing in mind, however, that it has even up to this day failed to degenerate into a wholly selfish contest between class and class. Thus, though the revolution in France led to a division of property, that in England merely confirmed many of the old feudal rights, such as primogeniture, tithes, and monopolies.

At this early period of the struggle the commercial man was not, as a rule, sufficiently familiar with agricultural technicalities to find much cause of dispute with the farmer. He only recognised that nearly all his raw material was supplied by the soil, and that, therefore, the less outlay it cost the husbandman to produce it, the less profit would be likely to satisfy him in selling it. So long, therefore, as corn laws and wool restrictions did not appear to affect the townsman's pocket, he cared very little for the economical questions which agitated the quieter world of the villager. Take, for example, that controversy over the Enclosure system which has hitherto occupied so much of our space. Hardly a breath of opposition to the practice had as yet emanated from the Patriotic party. Save for an occasional remonstrance from the wool manufacturer, that the diminishing numbers of the flock were affecting his special interest, the *pros* and *cons* of the system were fought out on purely agricultural grounds. What signified it to the tradesman that the process of enclosing was rendered by the legislature unduly expensive, that the landlords could not find capital to erect the additional buildings required, that the rents of holdings possessing commons-appurtenant were diminished, and that the supply of rural labour was being lessened? Scarcely anybody outside agricultural circles thought it worth his while to raise a popular agitation in order to prevent the people's land from being sequestered, and the interests of the cottager from being damaged, because no one but the ratepayer and clothier had any pecuniary stake in these matters.

Until, then, it was clearly seen that the high prices of necessaries were tending to enhance the wages of the town operative; the citizen's quarrel was with the landlord only. Even when the Corn Law agitation was at its full height, political

economists of the Manchester school constantly endeavoured to persuade the husbandman that their proposal of a free trade in grain affected not his pocket, but the landlord's.

No doubt, to the commercial man, the most distasteful feature about the Land was still, as it had been all along, the hereditary system. The law of intestate succession, in other words, the law that, in the event of an owner of realty dying without having made a will, his landed estates should become the property of his next male-of-kin in order of primogeniture, interfered with that freedom of barter which is so essential in a commercial country. It was contrary to all the traditions of the town capitalist, who seldom or never made his eldest son heir of his personalty, and who merely saw in this practice of landed capitalists an artificial effort to retain the social supremacy of county families over those of his own class. The fact, however, that primogeniture is a custom, not a law, and that every man has a right to do what he likes with his own, so long as the interests of the community do not suffer, rendered the landlord almost invulnerable. The legislature had rightly evinced the greatest reluctance to interfere with vested interests, unless it could have been clearly proved that they were disadvantageous to the common weal. We shall now proceed to show that it was impossible for the commercial classes to have deduced any such disadvantage from the case in point.

It has been often asserted that the instances where the law of primogeniture operates are so very few that its abolition would have little effect on the landed property market. No great landlords, it would be thought, are so heartless and careless as to omit entirely, or perform inadequately, a process which might leave their nearest and dearest entirely beholden to the charity of another, even though that other might be a beloved son. We shall not use such an assertion in favour of our contention; because if the records where intestacy has occurred from various causes could be collated and searched, we believe that few landed estates would be found which had not some time or other come under the operation of the law of intestate succession. But we do maintain that nothing short of a penal statute would put an end to a procedure which has

now become a confirmed habit. Supposing that the Legislature merely refused to be bound any longer by the precedents now regulating intestate succession, would not the landed proprietor immediately become more alive to the importance of making a settlement, and so few omissions occur, that no susceptible alteration in the practice would take place? At any rate, in such parts of England where, as for example in Kent, this law is only partially in force, no great subdivision of landed property has hitherto been noticeable, though there is no gainsaying that this took place in other countries as soon as their Governments discountenanced the rights of primogeniture by repealing the legislation in their favour.

The Radicals of the earlier portion of the present century made the most of this evidence, and based their arguments in favour of reform principally on the supposed benefits obtained from the abolition of entails in foreign countries. France, they argued, before the Revolution, was reduced to a state of bankruptcy, and was only able to furnish six hundred millions of francs towards the formidable total annually required for the State expenses; whereas, after the Revolution, a milliard was easily obtainable. Before it she had only 25,000,000 inhabitants, after it 30,000,000.[1] Before it several millions of hectares of land were in a state of nature, after it their cultivation doubled the produce and rental of the country, and found room for 3,000,000 proprietors.[2] Before it misery and starvation reigned throughout the rural districts, after it contentment and prosperity. All this was attributed by the reformers to the equalisation of landed property brought about by the abolition of entails, primogeniture, and majorats.

There is nothing the least extravagant in such a contention, and all who are not bigoted politicians must admit that it was possible for the moderate subdivision of the estates of a *grand seigneur* amongst frugal, hardworking peasant-farmers to have increased the profits derivable from French soil. But what check was there in the Code Napoleon on the *over-division* of landed property, and what mysterious virtues

[1] *On Aristocracy*, ch. xvi. M. H. Passy. Paris, 1826.

[2] *Emancipation of the Soil and Free Trade in Land.* Dr. Buchanan, 1845.

lurked in its clauses which could *permanently* improve the agricultural economy of France? It was and is commonly believed that the Revolution freed French agriculture from the last traces of feudalism, and thus put an end to the miseries of the rural labourer. It is supposed that it replaced the manorial tenures of the villeinage with the landed proprietorship of the peasant, and that by abolishing the seignorial class it enabled that of the labourer to derive a comfortable subsistence from the soil.

A brief glance at French history will dispel such illusions. Long before the enfranchisement of the serfs by Louis de Hutin there had been a redistribution of proprietary rights far in excess of what happened in England at the Reformation period. The crusades had so impoverished the French nobility that a large proportion of their manorial rights found its way into the property market, and was bought up not only by the ecclesiastic and bourgeois, but by the serf, so that in the Etats Généraux, summoned by Anne in 1481, we find the Tiers Etat in existence and packed with landed-peasants taking part in the affairs of government.[1] As a direct product of the French villeinage system we have *la culture à mi fruits*, commonly called the *métayer* process, that is to say, an agricultural partnership by which the *bailleur*, or owner, provided the stock-in-trade, and the *preneur*, or tenant, the labour, both sharing equally the fruits of the undertaking. A third species of tenure was the *domaine congéable*, which dated from the twelfth century, and consisted of a contract by which the proprietor let his lands at a small rent to the occupier, who became possessor of everything, even to buildings erected on the holding at his own expense, and for which he was compensated on quitting. It was an arrangement terminable at the will of either party, and very similar to a modern English farming agreement in which the *Fermier général* corresponded to our Land Agent. Now when Arthur Young visited France in order to examine French tenures and agriculture he found

[1] *Histoire de France*, vol. iii. p. 268, *et seq.*, and vol. vii. p. 190. H. Martin. See also the Introduction to *Young's Travels in France*. By M. Betham Edwards. Edition 2, 1889.

all three processes in vogue. He says that one-third land belonged to the French peasant (though in reality it was only one-fourth).[1] The rest was distributed under the *métayer* and *domaine congéable* systems. The Code Napoleon was not as yet in existence, and the sight of starving peasants clamouring for bread and landed proprietors escaping from burning châteaux afforded Young eloquent proofs that the French rural economy in its then condition had become unbearable. Three principal features attracted his notice—the vast extent of the "landes" or wastes, the scenes of pitiable management under the métayer system, and the thrift, intelligence, and good farming of the peasant proprietors. At first sight such evidence appears wholly in favour of the wider distribution of landed proprietorship brought about by the abolition of entails, majorats, and primogeniture. The tendency of the Code Napoleon to increase peasant proprietorship and diminish métayage would appear the chief cause of the augmented prosperity which followed the march of the Jacquerie throughout the French provinces. But before we ultimately decide that this is so, we must examine the evidence of later experts who visited France after the permanent, as opposed to the temporary, effects of the Revolution had become visible.

Notwithstanding Young's pronounced opinion to the contrary, it has long been contended that the reclamation of wastes and the vast increase of production have been brought about by the agency of the métayer. This stepping-stone of the hired labourer to landed proprietorship has been found so essential to the French rural economy that by the census of 1872, 11,182,000 hectares of land were cultivated by métayers, and 9,360,000 were in the hands of peasant proprietors. At the present day 53 per cent. of the entire population in France are agriculturists; one-third of the soil is held by 50,000 owners, one-third by 500,000, and one-third by 5,000,000.[2] Of some four million cultivators one-sixteenth farm by deputy and the remainder "de leurs mains."[3]

[1] *Travels in France.* Introduction. M. Betham Edwards.
[2] *Edinburgh Review*, Jan. 1893, *sub voc.* "The Agricultural Crisis."
[3] *Economie Rurale de la France.* M. de Lavergne.

Here, then, we have side by side in this same country a vigorous survival of a feudal tenure, and a large increase in small proprietorship,[1] neither of which owes its inception to the French Revolution, though the latter may have been indebted for its large increase to that event. If, then, there are any increased benefits derived from French agriculture and attributable to the Revolution, the cause must be found in this last circumstance. The evidence of Mr. James Howard, who studied French agriculture in 1870,[2] will not however admit even of this contention. He tells us of French experts who deplore "the demon of property in land" that has taken possession of the small farmer,[3] mainly because the interest of his capital, if invested in ordinary securities, would enable him to hire, on most remunerative terms, double the quantity of land that he now holds as an owner, and cultivates at a loss. Apart from the métayer system, in fact, not one satisfactory element is discoverable in modern French agriculture. The labourer is a slave toiling to live on a miserable pittance, the small farmer works from sunrise to sunset, the large farms are either stinted of their proper labour supply, or worked on a clumsy co-operative system, leases afford no security of compensation to an improving tenant, the fertility of the entire soil is below the standard of that in England, and the agricultural districts are fast becoming depopulated. Many thoughtful French minds now begin to attribute all these ills to the greater subdivision of land effected by the Code Napoleon, which has thus opposed an effectual barrier to agricultural advance.[4]

But our English land reformers were not content with the evidence derived from one single foreign precedent. It was not, they said, only in the countries where the Code Napoleon came into force that good results were palpable from the abolition of feudal tenures. Early in the American revolu-

[1] In England only 17 per cent. of its population are agriculturists, and less than one-sixth of these are proprietors.

[2] *Continental Farming and Peasantry.* James Howard, M.P., 1870.

[3] *Journal d'Agriculture Pratique.* M. E. Leconteux.

[4] *Continental Farming and Peasantry.* James Howard, M.P., 1870.

tionary war Jefferson had obtained the abrogation of the laws of entail and primogeniture. A large division of wealth ensued, and though the class of over-refined persons was exceedingly curtailed, the number of well-educated people had incalculably increased.[1] Contrasted with the Spanish colonies of the New World, where a rigid form of entail still impeded the circulation of landed property, the condition of the United States was immeasurably superior both as regards wealth and population.[2] But was not this phenomenon rather attributable to the greater fecundity and industry of the Anglo-Saxon race?

Again, in Belgium, Switzerland, Rhenish Prussia, Bavaria, and Holland, similar good effects were visible, while nearer home still, in the Channel Islands, the law of equal division had done wonders. A writer, citing the case of Guernsey, declares that though its land was less fertile, and only three parts cultivated, a square mile contained five times as many inhabitants as the same area in Ireland.

Such a description does not augur favourably for the prosperity of these Channel Islanders. In fact, few of our readers will refrain from wondering whether the happiness of the Guernsey people would not have been enhanced had the circumstances cited above been reversed. If by some means or other the fertility and cultivated area of the island could have been increased, and its population lessened, surely the comforts of existence there would have been augmented? But supposing it is admitted that the bulk of this evidence is, on the whole, in favour of abrogating existing land systems; what then? We have still to decide whether the characteristics of our nation and the peculiar nature of our climate do not demand some stronger proofs than those afforded by the precedents of foreign peoples.

The English aristocracy looked upon entails and primogeniture as the last and strongest bulwark of their power and existence. Yet if the same popular clamour which occurred later respecting the Corn Laws had arisen over the

[1] Lord Brougham's *Sketch of the President Jefferson.*

[2] Dr. Robertson's *History of America*, vol. iv. p. 27.

Land Laws, there is little doubt that the seignorial interest would have yielded to public opinion. The fact that no such clamour arose is proof positive that the nation did not regard the question as vital to its interests. The lawyers, the savants, the merchants, and the shopkeepers of England were prospering, and regarded any revolutionary redistribution of wealth as a menace to their own interests. Only the wage-earning classes had cause to grumble, and they were not as yet so desperate as to proceed to extreme measures. Far-seeing politicians kept their fingers on the public pulse, and when they felt it throbbing under their touch with suppressed excitement, they prescribed the necessary remedies. These took the form of the Reform Bill of 1832, and the Repeal of the Corn Laws in 1846. In neither case was it necessary to interfere with vested interests. Parliament, as the theatre of corruption and abuse, required a cleansing, not one whit less thorough than did any Augean Stable of old. In the Repeal of the Corn Laws the legislature withdrew a protection which should never have been considered permanent, and there is a wide distinction between its action in this instance and the powers claimed for it by the Radical. "I do not," said Mr. Gladstone, when defending the management of his father's estates against the charges brought by Lord Howick in 1833, "view property as an abstract thing; it is the creature of civil society. By the legislature it is granted, and by the legislature it is destroyed."[1] Surely, however, the rights of property are an institution which antedates that of society, and for the defence of which society was created? Has not Mill taught his countrymen to believe that the tribunals of society preceded laws, and were originally established not to create or destroy, but to protect? Such a contention does not deny society the right of interference with private property; for what is private property but public goods held in trust for the benefit of the human race? The owner of it, whether nation, class or individual, violates that trust, and renders himself liable to spoliation, whenever he excludes his

[1] *The Right Hon. W. E. Gladstone.* G. W. E. Russell, p. 33. 12th thousand.

fellows from the participation in its products. We can even go further, and imagine an eventuality when private property—yes, and private liberty also—cease to exist, for in the last resort of a nation in agony its executive may requisition both one and the other.

But to the narrow reasoning of some economists at the period now under discussion, any excuse, however trivial, for State interference with landed property was good enough. Unnecessary expenditure about the seignorial home, or unnecessary display about the seignorial person, constituted, they argued, a distinct theft from the public purse. At a time when the production of grain was beginning to be unequal to the national consumption of it, the parks and chases of the nobility were regarded as some of that unremunerative capital of which the law of primogeniture served to deprive the public.[1] Adam Smith shared this prejudice, and, as we have shown in an earlier chapter, grudged the monies expended on the squire's grounds, equipage, and dress. Then, too, Passy relates that there exists in Hungary a domain which the princes of the house of Esterhazy have devoted to the pleasures of the chase. A lake of great extent preserves the waterfowl, and thick forests furnish shelter for deer and wild boars, and a vast plain left uncultivated is set apart for pheasants and partridges. Ah! were I the owner of that royal domain, said the Prince of Ligne, soon would there rise up on the banks of the lake a handsome village—the plain would soon be covered with farms and hamlets, and with what delight would I not listen to the joyous hum of the numerous inhabitants whom the place would nourish?"[2]

At least, however, it may be said that the world would be a very poor one were all artistic tendencies thus made subservient to economical theory. Our country, in the opinion of many, is already too like a huge overgrown workshop, and existence amidst all our factory chimneys and mining operations would have become by now unbearable without those beautiful oases composed of gardens, pools, shrubberies and woodlands,

[1] *Paine's Answer to Burke.*

[2] *On Aristocracy.* By H. Passy. Vol. i. p. 8. Paris, 1826.

and created by the refined taste and spare capital of English landlords. Moreover, if it be an economical offence for the squire to have thus expended his surplus cash, he has but indulged in a practice common to all men of fortune, commercial as well as landed, and consequently his actions, in this particular direction at any rate, cannot arouse class prejudices. The embellishment of a landed estate is often a godsend to the labouring section of the community, and should not shock the delicate susceptibilities of the townsmen, many of whom entertain every intention of doing likewise as soon as they have collected sufficient funds to purchase a landed estate. On careful examination, therefore, nothing detrimental to the public interests, such as would have provoked and justified the concerted opposition of the community, seems to have existed at this period.

No one will pretend to assert that the Landed System bequeathed to us by our feudal forefathers is perfect. It still has many drawbacks, and it had many more at the beginning of this century which the legislature has subsequently removed. Most of these, however, would have been aggravated, as they have been elsewhere, by the compulsory division of estates amongst all the children of the deceased owner. The practice of making land a security for debt, and thereby relieving its proprietor of the necessity of selling a portion, often burdens an estate to such an extent that improvements are placed beyond the reach of his limited means. The restrictions placed by law on a tenant-for-life curtail his powers of letting on long lease, and prevent the farming tenant from permanently improving his holding in such a manner as he might have been induced to do had some modified scheme like that suggested by Lord Kaimes been permissible. These drawbacks have been recently reduced to a minimum by such legislation as the various Settled Land, Copyhold Enfranchisement,[1] and Agricultural Holdings Acts, and it is not an exaggeration to

[1] In the opinion of some, the Copyhold Acts of 1841, 1852, 1858, and 1887 require further alteration in order to render the process of enfranchisement less costly and complicated. For example, many would not object to seeing the appointment of valuers transferred from the Justices

say that such statutes have given a new lease of life to the customs of primogeniture and entails.

In this direction, therefore, we find no pronounced attitude taken up by the Party of Progress during the earlier decades of the nineteenth century. Land Law reform forty years ago had been confined, as far as regards the exterior of Westminster to the pages of the *Quarterly Review* and other periodicals, within Parliament to motions for the abolition of the property qualification of members in 1837, for the compensation of the off-going tenant in 1845, and for the abrogation of the custom of primogeniture in 1837. Though defeated by large majorities in every case, the Radicals, both in 1850 and 1855, renewed with equal want of success their agitation against the law of intestacy.

But that the feeling of the country on this subject of entails was not altogether benevolent is evidenced by its attitude in the *Thellusson* case, which occupied the attention of the courts from the end of the eighteenth century to the middle of the nineteenth. A certain Peter Thellusson, a banker by profession, a Frenchman by birth, died in 1797 at his seat, the Manor of Brodsworth, in Yorkshire, which he had recently purchased from the archbishop of that county. He seems to have been possessed of realty in Brodsworth, Plaistow, and London, valued at £175,000, and personalty at considerably over half a million.[1] To his wife and six children he bequeathed moneys amounting in all to £100,000, but his large estates in Yorkshire and the bulk of his fortune he left in the hands of trustees to accumulate and be laid out in the purchase of estates in England until all his children, grandchildren and great-grandchildren, if in existence or in *ventre sa mere* before his decease, were dead. The curious delighted in estimating the utmost limit that this colossal fortune might reach, finding that if, as was possible, the trust did not terminate for 120 years, the total value of the property would then amount to 140 millions sterling. In

to the Board of Agriculture, and the rate of interest payable for compensation still further reduced.

[1] *Gentleman's Magazine*, July, 1797, pp. 624, 708, and Dec., 1798, p. 1082.

the absence of any lineal descendants at the proper period, the estates, which at the lowest computation would not have been less than nineteen millions, were to be applied to the Sinking Fund under the direction of Parliament. "As I have earned," the deponent adds, "the fortune which I now possess with industry and honesty, I trust and hope that the legislature will not in any manner alter my will, or the limitations thereby created, but permit my property to go in the manner in which I hereby dispose of it."

For upwards of sixty years this request of the testator was respected; for Mr. Thellusson, only too likely as a foreigner to be badly informed on the niceties of the law of English succession, had been too shrewd a man of business not to employ the services of some legal expert in his difficult undertaking. The laws as then constituted not only allowed the postponement of the possession of a property, but the accumulation of its income. Going to the utmost limit which the Acts against perpetuities allowed, he had left, as a legacy to the Chancery bar, a puzzle in proportion nearly as great as the property which he had demised. He had driven the proverbial coach and four through the English statute book, and a fresh Act,[1] for ever afterwards associated with his name, was the inevitable consequence. That part of the difficulty was disposed of easily enough; not so the great Will Case. The family, naturally wishing to set aside the will, instituted proceedings in Chancery. Thereupon two suits arose; the one brought in by the widow and children in order to invalidate the trusts, the other by the acting trustees and executors in order to substantiate them. The suit was taken into Lincoln's Inn Hall, and thence to the House of Lords; and though Mr. Thellusson's provisions passed successfully the scrutiny of the Lord Chancellor and other law-lords, the parties whom they kept out of possession never wearied in their hostility, and not till 1858, when it had long acquired the dignity of becoming the oldest lawsuit on record, did it finally disappear from the courts.

[1] By 39 and 40 Geo. III. c 98 the accumulation of income beyond the life of the grantor and twenty-one years after is forbidden.

## CHAPTER XVIII.

### THE DESCENT OF THE LANDLORDS FROM POLITICAL SUPREMACY.

THE French took the opportunity of a wretched harvest in 1795 to cut off our foreign grain supplies; two years later they were menacing our shores with invasion, and the century closed amidst scenes of panic and disaster. The Bank Restriction Act of 1797 had suspended cash payments, and the system of unlimited credit which it originated was followed by a rapid but unhealthy growth in every form of British industry. The rise in the prices of all European produce caused the greatest want amongst the lower classes, and though the King in his speech at the opening of Parliament in the autumn of 1801 was able to thank Providence for a bountiful harvest, and his people for their moderation and fortitude under trying circumstances, many parts of the country had already become the scenes of rioting and outrage.

To deal as we should like with all the events worthy of notice during the first fifty years of the present century would almost fill as many chapters.

Briefly summarised, we may describe the period as one of high prices and rents, of bad seasons and extreme want, of commercial enterprise and rash speculation, a combination of circumstances which brought about, before the period ended, great changes in the social condition of all classes. The quarter of wheat from 1795 to 1814 averaged 89*s.* 7*d.*, and whenever, as for instance in 1804, it tended to get lower, a cry of distress went up from the agricultural interest, and was responded to in Parliament by measures of increased protection. In 1806 Bonaparte again attempted to starve the country into submis-

sion; and though the Berlin decree was, for what it purported to do, so much waste paper, the vague fear lest our flag should be excluded from the Baltic corn trade, sent up prices in the home markets. The unfavourable harvest of 1809, however, not only proved our dependence upon foreign grain supplies, but our ability, in spite of Napoleonic edicts, to obtain them. 1,500,000 quarters of wheat, as well as 600,000 quarters of other grain and flour, entered our ports during the ensuing year. It seems to have been a more than usually disastrous season for English commercial credit. Failures prevailed in almost every important trade, not least so in that of the corn merchant, where speculators, deceived by the prospects of another bad harvest, bought wheat in the spring at 116*s.* per quarter, which in the autumn they were glad to get rid of at 95*s.* In 1811 the effects of the large grain importation of the preceding year began to lower prices in the home markets, a process which, though checked by the bad harvest of 1812,[1] continued throughout 1813, and again induced Parliament to alter the protective tariff. The French defeats in the following year, and the general peace which eventually ensued, tended to lower the prices of the necessaries of life.

It was then that the greatest danger began to menace the monopoly of the landlord. The Landed Interest may be compared at this period to a goodly ship exposed to the fury of a gathering storm. So fierce raged the gale of popular opprobrium that all which was not absolutely necessary to buoyancy had to go by the board. First the property qualifications of members of parliament, secondly the control of the rates of labour, and thirdly the State protection of agricultural produce, had, like masts, to be cut away before the dismantled privileges of the seignorial class could find a harbour of refuge from the angry waves of popular agitation.

One almost wonders that the political leaders of the threatened Interest, warned by the lowering horizon, did not (to carry forward our metaphor) free the ship from anything such

[1] Wheat was selling in August, 1812, at 155*s.* a quarter, and had sunk to 112*s.* just twelve months later.

as internal disputes, which might distract the attention of those concerned with her navigation. If ever there was a time when everybody connected with the soil, from the cowman to the peer, should have combined in presenting a solid front to the common foe, surely it was now, when the leaders of the Manchester school were overrunning the country to beat up recruits for their coming raid on the monopoly of the landlord. Yet never was there less cohesion between the three classes which composed the Landed Interest. Proprietors had been doubling their rentals, enclosing commons, and expending capital in the erection of new homesteads. Farmers, attracted by the prospects of making fortunes out of wheat husbandry, had grasped at opportunities for prolonging their leases, had entered with light hearts on the arduous task of reclaiming waste lands, and had ploughed up excellent pasturage without a qualm of conscience. Meanwhile, labourers had been starving on high prices and low wages, while those who employed them had grown rich.

The peace came, prices fell; in 1819 the Bank Restriction Act was repealed, and the time of reckoning had arrived. The great flaw in the system of long agricultural leases became evident, and Ricardo's theory of rents had hardly been published before it proved inapplicable to many of the vicissitudes of circumstance and season. Farmers now found themselves fettered to contracts which had been designed so as to divide equally the benefits derived from war prices. A large proportion of the increased rentals represented the interest on landlords' capital sunk in permanent improvements. Though the prices of a time of war had ceased, its taxes continued, and it is doubtful whether landlords, if ever so willing, could have ceded any adequate reduction of rents without beggaring their own families.

All this seems to have been sufficiently clear to the select committees on the corn trade which sat from time to time throughout the early decades of the century. They fully recognised that the landowning class was enormously overtaxed, and the shortest way out of the difficulty would have seemed to be the continuance of the protective system. So it

appeared to the committee of 1814, and the re-enactment of the Corn Laws followed the ensuing year.[1]

But our lawgivers had now to reckon with a fresh element in this vexed question of Agricultural Protection. Up to the close of the war, the patriotism of the nation as a whole had suppressed every expression of discontent which might tend to abstract the attention of its rulers from the emergencies of the hour. Even the most truculent demagogue waited a more favourable opportunity for arousing the popular indignation by his fads and grievances. But the long period of scarcity had rendered the poorer classes so much combustible matter, which only required the smallest spark to set it in a blaze. When therefore it was observed that Parliament was about to maintain in times of peace the high prices of grain necessitated by war, the Free Trade agitation at once sprang into existence.

It is always dangerous for the central authority to be out of direct touch with the people. Statesmen, we have said in the last chapter, were keeping their fingers on the public pulse, but during the peculiar circumstances of war it was impossible thus to gauge the passions temporarily suppressed in the patriotic hearts of the people. In the House of Commons, as now constituted, the Government is more or less in actual contact with the masses, by means of their parliamentary representatives, and when the people wants to make its wishes known it can do so in a constitutional manner. In the days before the Reform Bill the first intimation of popular discontent that reached the ears of ministers was generally some popular outbreak in the provinces or suburbs.

It was so in this case. The bill for fresh protective legislation appeared in Parliament on Feb. 22nd, 1815. It was proposed that the House should go into committee to consider it, and the entire assembly, with the exception of seven dissentients, approved. In one week, however, meetings had been convened, and expressions of dissent uttered in all parts of the country. In a fortnight the mob was intimidating

[1] 55 Geo. III. c 26. Importation prohibited until the price of the quarter of wheat exceeded 80*s*.

Protectionist members in the very precincts of Westminster. Riots ensued, a collision with the soldiers occurred, and though the bill was passed, the opposition in the House of Commons was eleven times as large as when, only two weeks before, it first came up; while even in that of the Peers, some ten of its members went so far as to record on the Journals their protest against the measure.[1] This unlooked-for action of the dissentient minority was fully justified by subsequent events. The deficient harvests of 1816 and 1817, as well as the restoration of cash payments in 1821, counteracted any advantages that its supporters had expected from the Act. Select committees had again to be appointed in 1821 and 1822, which only aroused the temper of the nation still more. For unfortunately the fiscal legislation of 1815 permitted a fresh construction to be placed on the policy of protection. Henceforth it was possible, as Dr. Cunningham points out, for persons antagonistic to the seignorial interest "to represent the Corn Laws as a merely class measure, and to treat the whole question as that of a tax imposed upon the community for the sole interest of the landlords."[2] It was also becoming evident to the parliamentary representatives of the Commercial Interest, most of whom were ardent free traders, that they must first aim at a redistribution of representative strength in the councils of the nation. Men had long grown impatient under a system that allowed a "mound of earth to send two members to Parliament, while great manufacturing or commercial towns, each the centre and market of important districts, sent none."[3] Side by side, therefore, with the agitation for Parliamentary reform, there now grew up a popular clamour against the protective tendencies of the Government. A new factor had in fact come into being connected with our history of the English Landed Interest; which was nothing less than a formidable coalition of merchants and radicals, capable of fighting the landlords both inside and

[1] *Literature of Political Economy*, p. 76. McCulloch.

[2] *Growth of English Industry and Commerce*, Part II. p. 670.

[3] *History of the Anti-Corn-Law League.* A. Prentice, vol. i. 1853. See also 9 Anne c. 5.

outside of Parliament, and only to be satisfied by the surrender of the political supremacy. Already, in a House principally composed of patrons of agriculture, the Commercial Interest was holding its own. Corn Law riots outside Parliament, combined with growing opposition to the Government inside, assured the Whig and Tory squires that they were on their trial. In 1816 ministers had been badly defeated in their proposal to continue the property tax, and the Landed Interest got a snub in the person of Mr. Western when it attempted to increase the stringency of the Corn Laws.

All now depended upon the action of the Whig party. Would the pressure from outside intimidate them into a compromise with the Extremists, or drive them in their alarm to seek shelter amidst the Tory ranks? Would they bring themselves to believe, like Burdett, that the industrial community was being sacrificed for the landowning class, or would they regard the agitation as a dangerous revolt against the authority of the ancient aristocracy of the soil? Was anarchy or increased national prosperity lurking behind this agitation for cheap food and the reconstruction of the franchise? For a considerable time, therefore, they became an intermediate party between the Radicals and Tories, sharing the unmerited fate of all politicians thus obliged to adopt "a middle way of steering," and becoming alternately despised and courted by both extremes. Yet without the Whigs, Parliament would never have retained as long as it did, the confidence and support of all the moderate men of the country. Speaking of the expected alteration in the Corn Laws, the *Quarterly Review* for 1826 refused to join the literary crusade then raging, stating its reason to be "because we are content to leave their arrangement (*i.e.* the Corn Laws) in the hands of the Government, whose position of neutrality between what are called (as we think erroneously) the conflicting interests of agriculturists and manufacturers, enables them to suggest a change with unimpeached impartiality."

In the academical phase of the contest advocates of the protective system alleged that used in moderation it created no monopoly, and could not unwholesomely stimulate production

beyond its proper limits. Moreover without it much of the wheat-growing area of British soil would be mere rabbit warren and heath.

Its opponents, on the other hand, contended that all the good it effected went to swell the landlord's purse—that if the demand for corn was greater than the supply, naturally more corn would be grown; that as its production progressively increased, inferior lands would be brought into cultivation, and that this process merely increased the landlord's rental. The very words of the *Quarterly Review* are worthy of quotation, for they give that theory of rents which Ricardo was just then advancing. "Does he not know," the writer says, apostrophising the landlord, "that if the demand for corn is greater than the supply, more corn will be grown? Does he not know that lands of the first class of fertility will be first occupied? that as the production of corn progressively increases, inferior lands must be brought into cultivation? If brought into cultivation, does he not know that they must, *ex vi termini*, repay, with the ordinary profits of stock, the expense incurred in their cultivation? Does he not know that his own tenant, occupying land of a superior quality, is only led to expect to make the same profits which a man cultivating land of an inferior quality is found to make? Does he not know that the difference of the money price of the produce raised by these two parties is, in the present circumstances of this country, the measure of his rent?"

We think the leaseholding farmer might, if he had chosen, have shown this writer a balance sheet which would have effectually negatived this last query. The landlord, too, could have pointed out that though rents may or may not affect prices, the effects of free trade and foreign competition on rents would be to hand over the greater portion of profits to the foreign landowner.

If protection was crippling the foreign market for the manufacturer, free trade was about to cripple the home market for the farmer. This view of the case was promulgated by some of the ablest economists of the time. Ricardo in 1822, and McCulloch in 1841, warned the Government that if they

opened the ports to foreign produce the agriculturists, being more heavily burdened than the other classes of the community, would require compensation. "Whatever amount of duty," said McCulloch, "may be laid on foreign corn, for the equitable purpose of countervailing peculiar burdens laid on the corn raised at home, an *equivalent drawback* should be allowed on exportation."[1] "In allowing," said Ricardo, "this drawback we are merely returning to the farmer a tax which he has already paid, and which he must have to place him in a fair state of competition in the foreign market, not only with the foreign producer, but with his own countrymen who are producing other commodities. It is essentially different from a bounty on exportation in the sense in which the word bounty is usually understood; for by a bounty is generally meant a tax levied on the people for the purpose of rendering corn unnaturally cheap to the foreign consumer, whereas what I propose is to sell our corn at the price at which we can really afford to produce it, and not to add to its price a tax which shall induce the foreigner rather to purchase it from some other country, and deprive us of a trade which, under a system of free competition, we might have selected."

The whole difficulty seems to have been then as it is now, that, in order to develop trade and allow even the poorest man to live, we must submit to a system which hands over the profits of the landlord and farmer to the foreign producer. As long as the manufacturer can obtain raw material from somewhere, it does not concern him what soil yields it. Thus the interests of the English commercial man are as much allied to those of the foreign producer as they are opposed to those of the native producer. The prosperity of a large manufacturing population depends upon the ability of the manufacturer to undersell the foreigner in the world's market. Everything therefore, like cheap food, that tends to reduce his cost of production helps towards this end. On the other hand, the

[1] Compare *Protection of Agriculture*, p. 53. D. Ricardo. *Statements Illustrative of the Policy and Probable Consequences of the Proposed Repeal of the existing Corn Laws.* T. R. McCulloch.

prosperity of a large agricultural population depends upon the ability of the farmer to undersell the foreigner in the home market. Everything therefore that tends to make all foreign as well as home-grown food dear, increases his profits of production, and thus we have in a nutshell the antagonism of interests which came to a crisis in the early years of the present century.

The Reform and Hampden Clubs now sprang into existence, Burdett keeping up the agitation inside Westminster, Cobbett and Cartwright outside. But it was the old story over again, that those who thus sow the wind have to reap the whirlwind. Just as the Radicals had been the extreme wing of the Whig party, so now there appeared in the "Spencean philanthropists" an extreme wing of the Radical party. The latter, thinking the constitutional means of agitation employed by the more moderate reformers too slow, stirred up the mob to immediate action. There were recognised leaders of the political agitation like Hunt, who, carried away by the excitement of the moment, used immoderate language, which had frequently to be retracted. There were hangers-on to the skirts of the party, like the Watsons, who went even further still. A London crowd is easily swayed, and one autumn day in 1816 a few violent sentences in Spa Fields from one of the Watsons, a wickedly injudicious display of weapons, followed by an absurd threat to seize the Tower, aroused the worst passions of the London rough. The so-called assault on the ancient city fortress which ensued was effectually defeated by the laughter of its guards, and the Watsons, who appear to have led or followed the rioters, slipped out of the awkward situation as best they could, and were soon forgotten. But mischief had been done to the Radical cause, of which the Government was not slow to take advantage. The sudden disturbance, ludicrous though it was, had been insurrection, and Hunt, one of the acknowledged leaders of Radicalism, happened to have been addressing another section of the same crowd that day in Spa Fields. The fact that the portion within hearing of his oratory remained behind, and took no part in the rush to the Tower, would appear to have exonerated him from any parti-

cipation in the revolutionary remarks of his comrades.[1] But it was only natural for Parliament to see in this incident a second step towards ultimate civil war, of which Corn Law riots and disturbances elsewhere had been the first. The Seditious Meetings Bill, the suspension of the Habeas Corpus Act, and Lord Sidmouth's circular of 1817, were the arbitrary measures taken by the Government to check the progress of popular agitation. The supporters of these stringent precautions argued their justification from evidence of an insurrectionary nature subsequently discovered. Their opponents saw in the march of the Blanketeers, and the disturbances at Derby and Nottingham, only the natural consequences of proscribing all means of constitutional agitation. But that the country as a whole was alarmed by an approach, however slight, to a violence which had recently gone to such extreme lengths across the Channel, is evident from the results of the General Election of 1818, in which only two advocates openly professing democratic principles were returned to Parliament.[2]

Then, on the 16th August, 1819, an event commonly known as the Manchester tragedy counteracted the effects of the Spa Fields incident, and swayed public opinion to the other side. In spite of the new Act, a meeting was announced by the Radical leaders as about to take place in St. Peter's Fields, in order to promote Major Cartwright's plan of parliamentary reform. The local landed gentry, in the persons of the neighbouring justices of the peace, determined to exercise their lately bestowed powers, and suppress the whole business by armed force. A strong body of police and military was got ready beforehand, and at the proper moment the arrest of the leaders was to be effected. Unexpectedly the meeting was attended by deputations from all the surrounding towns. St. Peter's Fields became a seething mass of humanity, and into this packed multitude the yeomanry were ordered to charge. Six lives were thus sacrificed, and some three hundred people injured by the fearful pressure which ensued. For some time after this the organs of the Radical press were filled with such

[1] *Annual Register*, 1816, p. 191.

[2] *The Radical Party in Parliament*, p. 127. W. Harris.

flowers of diction as "chopped limbs," "wounded gaping skulls," "fiends in Hussar uniform cleaving a passage through human flesh and blood, and women and children massacred by the monstrous orders of reckless landlords."

A cry of indignation went up from all the crowded manufacturing centres of the north, the Reform party gained an immense accession of strength, and the feeling that a large majority of their countrymen favoured their cause, inspired the few extreme Liberals and Whigs in Parliament with unwonted powers of rhetoric.

Henceforward the contest became embittered, the Radicals throwing away the scabbard, and the Tories disputing every inch of ground. It is too late now to ask if some form of compromise might not have been arranged before the one side had wrested from the other all the rights it required. There were as yet all the elements of an equitable bargain. The one interest had not lost, the other had not gained, all that was respectively worth losing and gaining.

To the calmer mind of economical philosophy protection was no subject of party strife. Being a means to certain ends it was useless if those ends were not attained. The interests of three distinct parties were concerned, and nothing which benefited one at the expense of either of the others ought to have been worthy of consideration. What was required was some measure which would secure to the agriculturist a remunerative return for the products of his labour, to the manufacturer his present superiority over the foreigner, and to the labourer and mechanic one moderate and uniform price of corn. If then protection in its present form failed to effect this, protection in some other more effectual form had to be sought. Some economists at this period looked back to the time when an extraordinary impetus had been given to both trade and agriculture by the suspension of cash payments, and a certain Mr. Topling saw, in a less wholesale adoption of this resource, the required substitute for the Corn Laws. Burke had once declared in the House of Commons that a Bank of England note was worth its full nominal value on the Exchange, for the very reason that it was not worth a farthing in West-

minster Hall. But Topling, amongst many other financial experts of the time, remembered that the deviation from this principle had been apparently attended with the utmost success. He therefore produced in a lengthy treatise "A Plan for the Government of the Currency." We have no space to examine in detail his arguments, but suffice it to say that they were adversely criticised by the reviewers, and almost entirely ignored by the two rival interests.[1]

The time for academical discussion had gone by, and war to the knife seemed the only course open to a community thus impassioned. Apart from any speculation on its wisdom, the determined attitude of the Tories at this crisis commands the greatest respect. The old fighting seignorial blood of the landed gentry was up, and they were determined to resist the sequestration of their privileges as long as resistance was possible. Only as a last desperate resource would they in their dire distress occasionally look to the Whigs to construct for them a bridge over which they might retire to a more tenable position. But in the days immediately succeeding the Manchester tragedy, while Lord John Russell was suggesting a compromise which satisfied neither party, the Tories were still acting on the aggressive, and by means of the Six Acts, were vainly endeavouring to prevent the repetition of an expression of public opinion such as had just strengthened their opponents' cause. "It is impossible," said the Whig leader, "not to see that there are two parties dividing the country—both greatly exasperated, and both going to extremes; the one making unlimited demands, and the other meeting them with total and peremptory denial; the one ready to encounter any hazard for unknown benefits, the other ready to sacrifice for present security those privileges which our ancestors thought cheaply purchased with their blood."[2] The sympathies of the Whigs with Conservative principles betray themselves in this timid speech of Lord John Russell's at the very moment that their fear of the de-

[1] *Quarterly Review*, *sub voc.* "Savings Banks and Country Banks," 1825, p. 143.

[2] *History of the Radical Party in Parliament*, p. 139. Harris.

mocratic Cerberus was prompting them to throw it some sop of Parliamentary reform, which would but have whetted its appetite for more. There is much to be admired in the "all or nothing" attitude of the Radicals as well as in the stubborn resistance of the Tories; but we cannot help despising the intermediate party, which was too frightened of the democracy to become either its pronounced friend or foe.

On the death of George III. there was very little change noticeable in the tactics of the Government. The Crown, it is true, ceased altogether to exercise any control over State affairs, but the constituencies continued to return large majorities in favour of the existing policy, and the Government, though to a slight degree influenced by the opportunist policy of the moderate party, continued to oppose a solid barrier to Radical innovations. At this period the landed gentry were still entrusting their interests to the leadership of Liverpool, and Peel, by his vehement defence of the Peterloo massacre, was more than ever regarded with their favourable attention. Canning headed the more advanced Conservatism represented by the least progressive of the Whig party, Russell vacillated between the doctrines of ultra-Liberalism and moderate Radicalism, while Lambton, afterwards Lord Durham, threw in his lot with Burdett, Wilson, and the extremists.

The vexed question of the Corn Laws was never allowed to sleep. Occasionally the subject of Catholic emancipation or foreign complications allowed the landed interest a short breathing space, and then some restless Radical, like Whitmore or Hume, would once more draw the attention of the House to the old grievance. Now and then a bad harvest compelled the protectionists to make concessions. Thus, in 1826, ministers, unsolicited, took upon themselves the responsibility of encouraging grain importation by lowering the duties. A fresh sliding-scale system was introduced by Wellington in 1828,[1] and from this year the hopes of the free-traders rose high. It was not so much in the Act itself, however, that they found cause for self-gratulation. High duties, it is true, were

[1] 9 Geo. IV. c. 60.

not allowed to come into operation till the quarter of wheat fell to 62*s*. At that price the duty was to be 24*s*. 8*d*., which was to decrease for every rise of 1*s*. in price, in such a ratio that at 73*s*. there would only be the registration fee to pay. On the other hand, for every fall of 1*s*. below 62*s*. per quarter an increase of 1*s*. in the duty was payable, so that when the quarter fell below 55*s*. the almost prohibitive duty of 32*s*. came into force. Where the free-traders saw hope for their cause was in the altered attitude of the Government, from which they shrewdly augured that the counsels of his Majesty's ministers had become less unanimous, and their relationship with each other slightly strained.

But the concessions in the Act of 1828 were probably as great as any Radical could expect in a House thus constituted. It was decided therefore to concentrate attention on the subject of Reform. In the words of Harriett Martineau,[1] "All agreed to relinquish their minor objects for a time to secure the overthrow of borough corruption, and the great cry was raised which from that hour rang through the land for above a year—the Bill, the whole Bill, and nothing but the Bill."

Wellington, since the decease of its original leader, had barely kept together the moribund Canningite Administration; and when George IV. died, the Duke resigned. The new king sent for Lord Grey, and gave his reluctant assent to the formation of a Reform Cabinet. Lord John Russell's conciliatory tactics were again brought into requisition, and under his guidance the great Reform Bill was piloted through its three readings in the Lower House, a reluctant consent was extorted from the peers by the new Premier, and the measure received the royal assent on June 7th, 1832. As soon as possible a resolution to amend the Corn Laws was introduced by the indefatigable Whitmore in order to test the sentiments of the reformed Parliament. Its rejection by a large majority assured the Radicals that outside agitation was still necessary, and the free-traders again began to stump the country.

Two facts became now apparent: first, that Lord John

[1] *History of the Thirty Years' Peace*, vol. II, p. 32.

Russell had by his Bill not so much injured as furthered the cause of the landed gentry; secondly, that the manufacturing community was not as yet as interested in the Corn Law agitation as had been imagined. Hume openly denied to the House that any particular burden fell on trade by reason of the later Corn Laws, and O'Connor, Lord Althorp, and Heathcote followed in the same strain. "If any," writes Prentice of this period, "who had access to any of his Majesty's Ministers as are supposed to be favourable to the abolition of the bread tax—to Mr. Poulett Thomson, for instance—were to ask him: Why don't you repeal the Corn Laws, which you acknowledge to be bad in principle and oppressive in operation, the answer would probably be, 'What can we do? we have the landed interest, bound together as one man, to oppose the opening of the trade in corn, while the manufacturing communities utter not one word of complaint against the monopoly.'" [1]

Baffled here, the leaders of the agitation determined to go out into the highways and hedges, and appeal to the stomachs of the ignorant rather than to the brains of the intelligent. The "Repeal of the Corn Laws" was re-christened, "the abolition of the bread tax," and poles decorated with the large and small loaf became the recognised emblems of the agitation. Some were inclined to await a more opportune moment for commencing the new crusade. 1834 was a remarkably bountiful season, and it was seen that a bad wheat harvest would more effectually further the cause of Repeal with the hungry man. But the Lancashire merchants found means of political capital even here. "See," they said to their weavers and cotton spinners, "the landlords are your natural enemies. The causes which tend to fill your Saturday's baskets lighten their purses. The cheapness of provisions makes them cry out while it puts an end to the wailing in your streets. 'Heaven-sent bounty is to you a blessing, to them a curse.'" "The loyalists of 1793 were not more horror-struck at the murder of Marie Antoinette than the landowners of England at the bountiful harvests of 1822 and 1834."

[1] *History of the League.* A. Prentice, p. 34, vol. i.

Nothing could be more venomous and extravagant than the language used at this period in order to arouse the mob against the landlords. Agriculturists are described in one and the same breath as eating, drinking, and merry-making in glee over their full garners, and at the same time as being forced by the distress occasioned by abundant crops to demand of Parliament more protection.[1]

After the deficient harvest of 1836 the price of corn rose, a pressure came upon the money market, several banks stopped payment, and a commercial panic was only averted by drastic measures. The Radicals, of course, asserted that had the importation of corn been as regular as that of cotton, nothing of the sort would have occurred. An organisation antagonistic to protection, and headed by Hume, Grote and Roebuck, owed its inception to this crisis. Two years later, seven merchants founded the celebrated Manchester school of politicians; and on March 20, 1839, a virulence and an energy hitherto unknown was imported into the controversy by the formation of the famous Anti-Corn-Law League. The intolerant language used outside Parliament soon affected the amenities of debate within. Villiers, who in the session of 1840 had as usual introduced the perennial proposal that a committee of the whole House should sit and examine the Corn Laws, was insulted and hooted down. If this was the kind of reception the reconstituted House was disposed to give to the Radical claims, it seemed as though the only resource for the Manchester school was still further agitation. But this temporary outburst of passion was the last effort of a despairing cause. In fact, both sides had found that violence would not further their respective ends. By menacing the Melbourne Ministry with the popular fury, the advocates of free trade would probably have lost more political influence than they would have gained. For the one or two recruits inside Parliament that could be won over by intimidation, the Protectionists would by extravagance of language have completely alienated double that number of doubting minds. With the goal almost within reach, the Anti-Corn-Law League, therefore, wisely decided

[1] *History of the League.* A. Prentice, pp. 44, 45, etc., vol. i.

to rely strictly on constitutional resources only. Meetings of delegates were convened in many of the great towns, free-trade banquets promoted, interviews with ministers arranged, appeals made to the Queen, and monster processions to the doors of the Parliament House organised. But Luddist and Chartist violence was sternly discountenanced. Demagogues resolved that the calmness displayed on the open-air platforms of the League, should put to shame the passions which marred the debate from the benches of the House of Commons. Politicians on both sides at length recognised that more was to be gained by the logical reasoning of pamphlets, such as, say, Thompson's *Catechism*, than by legislation restrictive of free speech, and the excesses of the mob. Russell's doubts were not of a nature to be dispelled by the argument of force. Lord Melbourne's was a character more open to intellectual conviction than traditional prejudice. Peel did not object to free trade *per se*, but to the injustice of withdrawing protection from the Landed Interest as long as it was extended to the manufacturers. Rightly or wrongly, most of our leading statesmen had come to regard the question of the Corn Laws as a struggle for supremacy between two rival interests; and all they wanted was to be assured that it was something above and beyond a class contest, a remedy, in fact, proposed for the community as a whole, rather than for a small, greedy, and noisy section of it.

Thus even at the culmination of the contest, there were peers, such as Fitzwilliam, Spencer, Radnor and Ducie, advocating free-trade principles in Parliament, and squires, such as Milner Gibson, Sharman Crawford, Gore Langton, etc., preaching the repeal of the Corn Laws to manufacturing audiences in Manchester; while great commercial communities like Liverpool, were represented entirely by Tories in the House of Commons.

The oratory of the platform was not, however, always conducive to logical argument. Cobden once said to a Manchester audience, "There is nothing I like so much as free discussion, and settling the truth by the test of reason and argument. I shall never flinch meeting any man, or any body of men who, as reasonable beings, are disposed to take up the advocacy of

the Corn Laws."[1] Had he never swerved from such a precept, how much better would it have been for the entire community. But the very same year he was likening the Anti-Corn-Law League to that Hanseatic association which had pulled down the strongholds of feudal oppressors on the Rhine, Danube, and Elbe, and terming the Protectionists "feudal Corn Law plunderers."[2]

The effects of the agitation continued to exert a growing influence on the strength of political parties. That second administration of Melbourne's was tottering to its fall, and in 1841 found itself obliged to adopt the resolution so often proposed by Villiers. Russell, as Home Secretary, moved that the whole House resolve itself into a Committee to consider the Acts of Parliament relating to the trade in corn; and, on receiving its consent, he proposed a fixed duty of 8*s.* per quarter on imported grain. The Tories, thoroughly alarmed, were only partly quieted by a reassuring but equivocating statement of Melbourne's, and the uncertainty thus engendered in the minds of all brought about the defeat of the Ministry. Dissolution followed, and in the General Election which ensued, the Government superiority of voting strength was swept away, and Peel came into power. But though the electors had returned a fair working majority in favour of Protection, the Statesmen now in office recognised that a reduction in the protective duties of grain had become a necessity. Want and misery had increased to an alarming degree in the manufacturing districts. The rank and file of the Free Trade army were getting more and more out of hand, and as starvation increased amidst the thickly inhabited centres of trade, Chartist riots became of frequent occurrence. Peel's first object now, therefore, was to reduce to a minimum the concessions which would satisfy the country. Consequently in 1842 he proposed to lower the maximum duty in the old sliding scale by a few shillings, and thus lessen the entire tariff of cereal taxation. Cobden declared this proposal an insult to a suffering people, and Russell, speaking for the

[1] *Vide* his speech at Manchester on March 4, 1839.
[2] *The Thirty Years' Peace.* Miss Martineau.

Whigs, refused to accept what he considered so inadequate a remedy. On the other hand, the Tories, headed by the Duke of Buckingham, loudly expressed their alarm at what they termed Peel's surrender of principles. The Premier, however, was able to count on a large majority whenever his proposals came to a division, and thus encouraged, he set about the reform of the entire fiscal tariff in so energetic a manner that he began to be suspected of a resolve to ultimately bring about free trade in all productions, both agricultural and manufacturing. As each measure tending to limit protection came into force, the distress in the manufacturing districts decreased, and for a moment the hopes of the Landed Interest rose as they saw the agitation outside abating.

But the fact that a partial reduction of protective duties had effected this improvement, only prompted the Radicals to redouble their efforts. All their powers were now concentrated on educating the Whigs to their views, and the work of conversion progressed rapidly. Melbourne no longer thought it "the wildest and maddest thing to think of leaving the agriculturists without protection," and Russell went so far as to say "protection is not the support, but the bane of agriculture."[1] "Behold," exclaimed another of these perverts (Lord Howick) to a startled House, quoting the words of Scripture, "the hire of the labourers who have reaped down your fields, which is of you kept back by fraud, crieth: and the cries of them which have reaped are entered into the ears of the Lord of Sabaoth." By the country squires, however, who had been mainly instrumental in returning a Protectionist Ministry to power, this kind of language on the part of members, on whose neutrality, if not support, they had counted, was viewed with the greatest disgust. Disraeli pointed out to the House that if any further steps towards a policy of free trade were contemplated, they should be left for the decision of the constituencies, who had not at present had an opportunity of expressing their views on a situation newly created by the altered policy of the Government.[2]

[1] *Hist. of the Radical Party in Parliament*, p. 339. W. Harris.
[2] *Hist. of the League*, p. 311. A. Prentice.

It must not be supposed that any Minister at this period was favourable to the entire abolition of the Corn Laws. Peel, notwithstanding what men suspected, certainly never dreamed of so drastic a measure. Russell only held out for a fixed duty in lieu of the sliding scale, and would have shrunk from the responsibility of absolute repeal, while the Duke of Buccleugh and Lord Stanley would have instantly severed (as later on they did sever) their connection with the Government had such a policy been broached. Nor could Ministers have counted on a majority in the House, and it is doubtful if by an appeal to the country they could have insured their return to power on such an issue.

But the crisis was precipitated by the direful news that now arrived from Ireland. The potato crop had failed, conacre labour, like a pricked air-bladder, had suddenly collapsed, and famine was imminent. Everybody was horrified, and men of all parties and shades of opinions met together in order to propose measures of relief. The Radicals of to-day scornfully recall to memory that the head of the English Peerage suggested curry powder as a fitting substitute for the Irishman's potato diet; another nobleman proposed that the Government should organise a supply of salt fish; the Royal Agricultural Society recommended the peasants to repeatedly boil up bones for soup.[1] In reality, however, everybody opened widely his purse-strings, subscriptions poured in, and the great landed capitalists as usual headed the lists.

Peel, almost immediately, recognised that the emergency, aggravated as it was by a disastrous harvest in England, required some far more effective measure than that which private philanthropy afforded, and endeavoured in vain to induce his colleagues to at once suspend all restrictions on the importation of food. The letter of Lord John Russell from Edinburgh to the London electorate, announcing the complete abandonment by the Whigs of all Corn Law principles, justified Peel's attitude. Four Cabinet Councils took place in one week. Some of the Ministry resigned, and Peel was obliged to tell

[1] *Right Hon. W. E. Gladstone; The Queen's Prime Ministers.* G. W. E. Russell.

the Queen that he could no longer carry on the government. However, on the refusal of Russell to accept office, the Premier reconsidered his position, replaced seceding Ministers by others, like Gladstone, more favourable to his views, and met Parliament on January 16th, 1846, determined to propose at once the absolute repeal of the Corn Laws. The great debate was not long delayed. Peel made his motion on February 9th; the Tories, then represented by Miles, moved that the House do resolve itself into committee on that day six months, and the discussion which ensued lasted for twelve nights. Though the prime minister gained his purpose, and though the majority that confirmed his action was eighty, he had destroyed himself for all future chances of political power. Hunted from office before the Bill which he had successfully piloted through the Commons had become law, he took leave of the party which he was accused of having betrayed in the following dignified language: "I shall leave a name execrated by every monopolist who, from less honourable motives, clamours for protection because it conduces to his own individual benefit. But it may be that I shall leave a name sometimes remembered with expressions of good-will in the abodes of those whose lot it is to labour and to earn their daily bread by the sweat of their brow, when they shall recruit their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened with a sense of injustice."[1]

Three years were yet to lapse before Peel's Act came into force; agitation did not cease for some time after, and the Anti-Corn-Law League was exercising its influence as late as 1852; but the wisdom of Peel's step, considering the exigencies of his times, has never been seriously impugned from that day to this. He never lived to see the disastrous effects of foreign competition on the home markets, nor the terrible agricultural distress which improved accessibility to markets and the high prices prevailing during the Crimean War, for a long time delayed. It is even yet too soon to pronounce a decided opinion whether the requirements of the community as a

[1] *History of our own Times*, vol. i. p. 412. J. McCarthy.

whole demand this entire and permanent sacrifice of the English landlord in favour of the foreign agriculturist. We cannot tell what might not have occurred had even slight duties on imported grain been in force when, for example, the Trafalgar Square meetings of the unemployed were taking place, or now that the excess of the labour supply over its demand is prompting men to advocate the diminution by the State of their working hours. Clinging to our idea that any artificial restriction of the natural laws of supply and demand must be a resource rotten at the core, we shall for our part require further proofs before we condemn Peel for his action in repealing the Corn Laws, though we cannot help regretting that he did not attempt to barter the ceded privilege for some compensatory reduction of the existing land taxation and poor rates.[1]

[1] The subject was often touched upon, especially when the Free Trade Party through one of its spokesmen, Ward, moved in 1845 for a select committee to inquire if there were any special burdens affecting the Landed Interest which justified its protection.

## CHAPTER XIX.

### THE PROGRESS OF SCIENTIFIC AGRICULTURE.

THE first fifty years of this present century were destined to prove of what grit the British farmer is composed. Amidst the ruinous fall in prices on the restoration of peace; the upsetting of the basis on which all agricultural contracts were founded by means of Peel's Currency Bill of 1819; the destruction of farming stock by rustic imitators of the Luddites in 1830–1; the terrible visitations of disease on both animal and vegetable life during the last twenty years of this period; and last, but not least, the expected destruction of profitable wheat cultivation by the repeal of the Corn Laws, the husbandman refused to be deterred in his efforts to extract from the earth all that nature had intended her to yield. Vast wastes continued to be enclosed, landlords' and farmers' capital kept on being sunk in the soil, and honours and emoluments of all kinds were held out in order to induce men of science to direct their inventive genius into channels likely to be of benefit to the Landed Interest.

One feature of the husbandry then practised was the conversion of a large area of pasturage into wheat-producing soil. The increase in population demanded, and the re-enactment of the Corn Laws in 1815 stimulated, this course, while the repeal of these laws in 1848, and consequent admission of foreign grain into the home market, have, during the last fifty years, demonstrated the mischievous extent to which such artificial means had carried it.[1]

At first sight it would appear that the demand of an in-

[1] Would that Mr. Gladstone's famous advice to farmers to grow jam had then been forthcoming.

creased population for meat as well as bread would have had a deterrent effect on the devastations (we can use no milder term) of the plough. But on the mixed farm of the period the new grass and root crops enabled the tenant to combine with the husbandry of cereals the industry of the grazier, and no appreciable diminution in the national meat supply took place.

Another important feature in the farming of the period was the progress made by the heavy-land tenant. What Tull and the turnip had done for the sandy soils, Smith of Deanston, and the drain-pipe were now to do for the clay lands. But towering in their importance above anything else, even above the application of steam as a motive power to the farmer's machinery and market produce, were the incalculable services rendered by the chemist.

There would have been no practical use as yet in publishing in book form the results of experiments made in the laboratory, for farmers still required ocular demonstration of a chemical success in the field itself. It was in vain for the Earl of Dundonald to attempt to show the intimate connection that exists between agriculture and chemistry; because, though his books[1] contained a reservoir of valuable facts, they were set down by the rude farmers to whom they were addressed as the works of a visionary; and, like the still more able writings of De Saussure, treated merely as additions to those chemical curiosities which had emanated from the pens of Hook, Kircher, and Bradley. Equally futile apparently were both Hunter's scientific essays[2] and Home's prize treatise,[3] both of which sought to attribute the slow progress of agriculture to its want of touch with science.

When we discussed this branch of our subject before, we

[1] Archibald Cochrane, Earl of Dundonald, wrote two works—*A Treatise showing the Intimate Connection between Agriculture and Chemistry*, London, 1795, and *The Principles of Chemistry applied to the Improvement of Agriculture*, 1799. Unfortunately, neither of these works are contained in the National Library, *vide Agri. Biog.*, *sub voc.* "Cochrane," J. Donaldson, 1854.

[2] *The Georgical Essays.* Alexander Hunter, M.D., F.R.S., 1769.

[3] Henry Home. Lord Kaimes' chief work was *The Gentleman Farmer.*

had nothing much to record which would have led any one to expect that the chemist was soon to prove the farmer's best friend. But we were able to show that his face was at length set in the right direction; and that, though his many failures had disgusted the men of practice, a few successes might easily produce a revulsion of feeling in his favour. As early as 1770 the scientific world appeared uneasy and dissatisfied, as though some occult influence was at work to force men forward in the path of research. A faint perception was dawning upon their faculties that what they breathed could be made to render up some great secret of nature, if only they persevered in its analysis. Nobody continued to imagine that when he grasped at the air his fingers closed over nothing at all.[1] In fact, the whole attention of the Royal Society was now concentrated on the discovery of what the component parts of the atmosphere might be. Priestley gained the gold medal of the Society in 1773 for his *Observations on the Variations of Air*, and Sir John Pringle, the learned President, devoted his inaugural address to an historical review of the same subject. He traced the progress of research from the time of Galileo to the latest date. To Bacon he ascribed the discovery of the so-called artificial air, to Newton of permanent air arising from fixed bodies by heat and fermentation, to Browning of the quality of mephitic air, to Black of fixed air, and to Cavendish of inflammable air. Turning lastly to Priestley's prize essay on the same subject, he proceeded to point out certain facts so intimately connected with oxygen that its discovery trembled in the balance. He showed how the small flame of an ordinary candle *consumes*, as it was called, about a gallon of air per minute, and he demanded of his audience an explanation of the change made in the atmosphere by this process. The next step was for Priestley to discover some

[1] Men little thought that slightly over a century afterwards air in liquid shape would be visible to the naked eye. Could some old alchemist but rise again he would be horrified to learn that the Goldsmith's Company, in whose industry he had been specially interested, was apparently wasting its time and wealth in promoting, not the manufacture of gold, but the liquefaction of valueless atmospheric gases.

means of restoring purity to air vitiated by the burning of a candle in it, and this he was fortunate enough to find in vegetation. The sprig of mint placed under an inverted glass jar standing in water, though expected to fade, flourished. This prompted him to attempt, by vegetable instrumentality, the purification of air that had been injured by other natural processes, such as animal respiration and putrefaction. Again successful, he went on to examine the phenomena connected with breathing.[1]

But before we can understand the conclusions arrived at by Priestley in this direction, we must ascertain the bias of mind in which he approached such experiments. He was to his death a strong advocate of the phlogistic theory. This, according to Becher, was an "inflammable earth," according to Stahl, "a subtle principle," which belonged to any body that was combustible. Phosphorus was a compound of phosphoric acid and phlogiston; charcoal, because it left on combustion very little ash, was nearly pure phlogiston; and metals, because only slightly consumed when burned, were almost entirely free from phlogiston. Now prior to his experiments with air, Priestley had been heating oxide of mercury, and by its sudden resolution into the pure metal had become possessed of the secret of a new gas. He subsequently came across the same element as one of the constituents of the atmosphere. All these phenomena induced him to inquire, what part did air play in the process of combustion? The new gas Priestley soon found to be a strong supporter of combustion; was it on that account rich in phlogiston? Again, was the air a supporter of combustion, and if so, was it rich in phlogiston? Unfortunately, neither Becher nor Stahl had explained the part played by air in combustion, nor had either accounted for, though one at least knew of, the increase in the weight of metals when burned in air. Priestley, however, soon found that if he must reconcile all the properties, either of the new gas or of air, with the phlogistic theory, he must materially alter Stahl's rendering of it. He therefore suggested that

[1] Compare *Philosoph. Trans.*, vol. lxv. art. 38, and vol. lxvi. art. 13, 1776.

though Stahl had been correct in attributing to phlogiston the combustible properties of any *solid*, it played quite an opposite part when it became incorporated in any *gas*. There were, he supposed, two constituents of the air, one (afterwards called nitrogen) incapable of supporting combustion because saturated with phlogiston, the other (afterwards called oxygen) pre-eminently a supporter of combustion because it contained no phlogiston. This latter gas he called "dephlogisticated air." The purer the atmosphere, the less phlogiston, he supposed, it contained; its function consisting in removing that element from combustible bodies. Respiration therefore, to Priestley, was an ordinary phlogistic process, the use of the lungs being to discharge phlogiston and putrid effluvia taken into the system by the aliment.[1]

Meanwhile Scheele, at Koping, had discovered the same gas, and termed it "empyreal air," while a third chemist, Condorcet, soon wanted to change its name to "vital air." The phlogiston theory, being finally upset by Lavoisier, went the way of other celebrated scientific delusions, such as the hibernation of swallows in pools, and the scintillation theory of the stars, and its overthrow necessitated a fresh appellation for the new gas. This was found in "oxygen," to which it had almost as little right as any of its former pseudonyms, but which seems likely to cling to it as long as it continues to be considered the simple element that we imagine it at present.

We make no apology for thus describing in detail a discovery which indirectly effected such enormous advantages to agriculture. Priestley and Scheele ought to be allowed a place in the foremost rank of agricultural pioneers, though it is not the fashion to associate them so intimately with the farming industry as we do Davy, Liebig, Lawes, and Gilbert. They, however, were the first two chemists to separate the oxygen from the nitrogen of the air; and though they did not recognise the latter gas as an individuality, they were indirectly familiar with certain of its properties when they came across them in nitric acid and other compounds. In fact, as early as 1772, another chemist, Dr. Rutherford, whilst studying the

[1] *Gentleman's Mag.*, 1778, March 31st.

combustion of certain substances in air, had discovered an irrespirable gas which was neither fixed air nor carbonic acid, and though he termed it azote, he had in reality stumbled across nitrogen. Indeed, often when Priestley discussed the properties of phlogiston he was really unconsciously alluding to those of nitrogen. Consequently, he it was who started the theory that phlogiston was the food of plants, and sought to prove from this phenomenon the enormous importance of air to vegetable life. Arthur Young having read his five volumes of *Experiments and Observations*[1] with avidity, and having followed with intelligent interest the experiments of Dr. Ingenhous on vegetation, set to work upon his own account to put to the rude test of practical experiment the conflicting theories which he had thus imbibed. Priestley had contended that though phlogiston was the essence of plants and animals, they were powerless to extract it from many of its sources, and were liable to be injured by any excessive artificial application of it to their delicate organizations. Phlogiston, as a result of putrefaction in intimate contact with the roots, or absorbed from the air by the leaves, was as essential to vegetable life as dephlogisticated air was to animal life; and the extraction of the former element by the lungs of plants left the atmosphere purer for animal respiration than it would otherwise have been. In that which Priestley and Ingenhous therefore understood by the phlogiston of the air we recognise the combined properties of nitrogen and carbonic acid, and in the somewhat antagonistic results obtained from their experiments with vegetable growth we prove their inability to individualise these two constituents of the atmosphere. The supposition that for plants to assimilate phlogiston by their roots the putrefaction of those compounds containing it became a necessity, had led chemists to sanction the common practice of frequently turning the muck heap, but on this error the practical Young now brought the light of his valuable experience to bear. He had found that the manure from his covered sheep-yards was worth double the quantity

[1] *Experiments and Observations relative to various Branches of Nat. Philos.*, vol. ii. p. 1.

of that from those exposed to the full brunt of atmospheric influences; and when he saw the teamer's eyes watering from the pungent exhalations of the dung-carts, he maintained that, by the action of the solar rays and the absorptive powers of the breeze, the farmer was being robbed of many of the valuable fertilizing constituents of his farmyard.[1]

By such discoveries as these the way was paved for those eight epoch-making lectures of Sir Humphrey Davy, delivered before the Board of Agriculture in 1812. Of these, the first was a general introduction to the subject; the second, a sketch of the principles of physical science especially as affecting vegetables; the third, a description of the structure and chemical constituents of plants; the fourth, related to the analysis of soils; the fifth, to the atmosphere and functions of vegetation; the two next to vegetable and mineral manures; and the last to the effects of burning and irrigation, and to the economy of crops. An appendix contained the results of an elaborate series of experiments on the nutritive matter afforded by grasses, performed at Woburn by order of the Duke of Bedford.[2]

The services that Davy thus rendered to agriculture can be best realised by a short study of those theories which influenced farmers before his lectures came into their possession. The fact that plants wither when deprived of water induced many chemists to attribute to this liquid the sole means of nourishment required for vegetable life. Some credited oil with this virtue, others air, others some special salt, while Tull and his school, as we have seen, believed that the earth's upper crust contained an inexhaustible fund of vegetating food, if only it was reduced to a form palatable for plant life. The root fibres were so many tiny mouths which were unable to masticate their proper food unless it was pulverised into minute morsels. To Tull therefore the only fertilisers were farming implements specially adapted to this purpose. Many of these ideas contained half truths, which Davy now utilised in his laboratory. No two chemists had yet

[1] *Annals of Agriculture*, vol. i. p. 169, 1784.

[2] *Quarterly Review:* "Davy's Agri. Chemistry." July, 1814.

been found to be in entire accord over the phenomena of the vegetable economy, and where experts were at variance, it was impossible for amateurs to decide. For instance, authorities differed as to the mutual effects of vegetables and the atmosphere upon one another. Davy followed Priestley and Ingenhous in attributing to plants a purifying effect on the air. Ellis and others, though admitting that many vegetables absorbed carbonic acid and furnished oxygen, believed that such an operation was partial and accidental. That an atmosphere overcharged with carbonic acid was purified by the agency of plants all chemists were ready to admit, but they had not yet learned that chlorophyll has the inherent gift, in the presence of sunlight, of releasing the oxygen and absorbing the carbon of the carbonic acid gas, while away from the sun the process is reversed. In the same way their knowledge of the action of water on plant life was imperfect. Braconnot maintained that many of the agents of the vegetable economy, like those of the animal economy, acted only as stimulants. Pure water, according to them, afforded the one necessary nutriment, and what plants absorbed from manures and other ingredients of the soil did not become part and parcel of their substance.

Davy collated a mass of evidence tending towards a contrary conclusion. Bringing his advanced electrical learning to bear on the subject, he made even the purest of waters[1] yield up its alkalies and other earths under the spell of the voltaic battery, and ascribed to their presence the supposed fertilising effects of the liquid. He next attempted to grow oats out of unadulterated carbonate of lime,[2] kept constantly moist, but not saturated, with distilled water. Failing, he burned the withered plant, analysed its ash, and discovered a preponderance of carbonate of lime and a deficiency of siliceous matters. Recalling to mind the experiences of Jacquin with marine plants propagated in soils uninfluenced by the sea, the

[1] Sir Humphry Davy stated that even "distilled water was far from being free from saline impregnations." *Vide Quarterly Review*, vol. xi. 1814, *sub voc.* "Davy's Agri. Chem."

[2] I use the term carbonate of lime in preference to the correct one, carbonate of calcium, as being synchronous with the times under discussion.

analyses of sunflowers grown by Du Hamel with and without nitre, and the tables of De Saussure, on which were recorded the composition of plants grown in different solutions of salts, Davy rightly decided that soils and manures play a far more important part in the vegetable economy than the continental philosophers who swore by Braconnot had supposed. It was, indeed, precisely the same phenomenon which puzzled Dr. Fordyce over his cage-birds. If, at the time of laying, his canaries were deprived of access to carbonate of lime, their eggs were imperfect. But the problem was a far more difficult one than either Davy or Liebig after him had imagined. If, as in the case of the cage-birds, the supply in proper proportions of the constituents found in the ashes of egg or plant had been all that was needed, there would have been nothing left for Lawes and Gilbert to discover. If it could have been proved that nitrogen was not essential to plants, or if essential how assimilable by their contact with earth and air, the vast capital spent since in the purchase of expensive nitrogenous manures might have remained in the farmers' pockets.

By thus accentuating the importance to vegetable life of soils and manures Davy upset numerous preconceived notions. Those farmers who still based their practice on Tull's and others' theories now reverted to the long neglected middenstead, and trusted to the refuse of the stable and byre to increase the productive powers of their farms. Henceforth the humic theory came into fashion; that is to say, farmers directed their entire attention to fertilisers which would restore to their seed-bed its reservoir of humic constituents as soon as it became depleted by the exhaustive process of vegetation. Davy had thus presented to them the truth, but not the whole truth. He afforded them an insight into the nutritive qualities of their commonest produce. The results both of his quantitative and qualitative analyses of crops were tabulated and placed at their disposal. Henceforth they could discuss scientifically the proportions of starch, sugar, and albumen in every used variety of cereal or root; of lime, silica, alumina, and organic matter in most kinds of soils; the beneficial qualities of each known manure, and the mechanical effects of

burning, liming, and pulverising both light and heavy soils. He detected the presence of ammonia in the fermenting matter of the dung-heap, proved its great value as a fertiliser, and thus induced the husbandman to give up the practice of rotting his manure, whereby its preservation for practical uses had hitherto been damaged.[1]

It remained for Liebig, in 1840, to replace the "humic" by the "mineral" theory, and thus to carry the farmer one step further in the right direction. He rightly demonstrated that before plants can thrive they must have access to both organic and inorganic matter in a form in which it can be assimilated. Regarding, however, the atmosphere and the soil between them as the inexhaustible sources of all organic constituents required by the vegetable economy, he considered himself free to direct his undivided attention to the best means of supplying it with its inorganic wants, which, according to his views, were alone liable to be exhausted. He pointed out that though humus contains carbon, it must be converted into carbonic acid before it can be assimilated by plants; and though, by the process of decomposition, it furnishes a source of this gas, it does so in a far more roundabout way than does the atmosphere, and therefore its chief fertilising agencies are owing to its being a reservoir of mineral foods. He applied the same reasoning to the virtues of ammonia as a manure, asserting that it was not the chemist's duty to waste time in seeking sources of expensive nitrogenised foods for an impoverished crop, since nature herself afforded these by means of the atmosphere. He therefore set to work in the laboratory to find out the proportions of the mineral constituents in each plant, and then to synthesise equivalent proportions of minerals, parcels of which he sold to the farmers as patent manures. He maintained that, were he placed in possession of the elements of any given soil, and the

[1] I must not be regarded as an opponent of the practice of rotting farmyard manure under every circumstance. Unrotted manure would if applied, say, to a potato crop, lie in the ground without fertilising it till after the tubers had been harvested, nor would it retain moisture like rotted dung.

composition of the plant intended to be grown therein, he would be able to supply out of the constituents of his laboratory the required fertiliser. Henceforth the market-ordinary and the farmers' club of every small county-town became the theatre of animated discussion on the virtues of stercoration. The portable manures manufactured in the Giessen laboratory were used throughout this country, and gave a strong forward impetus to all forms of English agriculture.

There is a story, which if not true, ought to be, that a modern English composer received such a shock to his patriotism by hearing the street boys whistle tunes from Offenbach's operas, that he determined to go home and devote his genius to the production of popular music. Something of the same feeling possibly agitated the minds of the Rothamsted chemists when they discovered that German manures had begun to flood the English markets. Liebig's celebrated mineral wheat fertiliser was tried and proved a failure, whereupon Lawes and Gilbert began a series of invaluable experiments which have lasted to the present day. These gradually tended to prove that, though the vegetation of nature can proceed, and to a certain extent luxuriate, without the aid of man, it is not so in the case of those abnormal crops required in high farming. The organic as well as the inorganic, or (as Liebig afterwards termed them) the atmospheric as well as the terrestrial constituents of vegetable life, require artificial assistance before they can be carried to perfection; and therefore Liebig had committed a grave error when he counselled the farmer to ignore the sources whence he could obtain a supply of ammonia and nitric acid for re-nitrogenising an exhausted seed-bed. Indeed, it would seem that he himself indirectly admitted his mistake when he afterwards contended that ammonia itself, being a mineral substance, was originally included amongst those terrestrial constituents of plant life which he had shown to be capable of exhaustion.[1]

[1] The problem still remains how that vast reservoir of nitrogen—four-fifths of the entire atmosphere—can be utilised so as to save the costly purchase of nitrogenous manures. We have learned that, owing to the

good of all these laboratory experiments was at once evidenced by the increased fertility of the soil. Portable manures of every description came largely into use. Ground bones, coprolites, superphosphate of lime, Peruvian, fish and home-made guanos, all helped to supplement the manurial products of the holding. Farmers, however, diverted from one extreme only to proceed to the other, began to purchase in considerable quantities nitrate of soda, ammonium sulphate, and other nitrogenous fertilisers. The earth thus stimulated, for a time produced abnormally fertile crops, but became exhausted as soon as the forcing effects of these manures ceased to invigorate her. A celebrated old agriculturist warned us some twenty-five years ago that the time was not far distant when nitrate of soda and other manurial stimulants of a similar nature would be avoided by prudent husbandmen as completely as dram-drinking is by all individuals who have any regard for their health, and his prophecy has long since been proved to be true.[1]

"Since the return of comparative prosperity," writes Mr. Bacon in 1844, "the principal improvement has been in the increased use of artificial food for fattening, and by the application of artificial manures, principally bone-dust, animalised carbon, oil cake, nitrate of soda, and saltpetre, and by a more liberal use of rape cake, indeed to an almost indefinite extent. The effect of the first has been to enhance the quality of the farmyard manure from twenty to forty per cent. at least, while the system of feeding sheep on the land with oil cake has increased the value of the "teathe," and brought

absorptive powers of the fungous growths on the roots of leguminous plants, these crops do obtain thus a portion of this food, and that 6 lb. or 8 lb. per acre can be supplied by nature through the agency of the thunder storm; but these discoveries only urge the chemist onward. When we ascertain how we can save 6*d.* per lb. in nitrogenous manures by utilising without expense their equivalent in the atmosphere, there will be a fresh era of prosperity for English agriculture.

[1] I am advised by a farming friend, who is no mean chemist, that I am as a Land Agent naturally biassed on this subject, and that nitrate of soda is not the dangerous tool in the hands of the tenant farmer which I represent it to be. I however adhere to my statement.

the land more rapidly into a much higher state of cultivation.[1]

But while farmers were thus expending their spare capital in the purchase of mineral manures, there was the same strange negligence that we see to-day, in ignoring those fertilising agents which were ready to hand in and about the holding. Liebig had shown how by the proper use of the ashes of wild plants, the waste going on in the cultivated fields might be counteracted. There were farmers who took pains to make compost heaps of the sods and weeds of the hedgerow and lane side, but allowed the liquid products of the manure-heap to run waste in the ditches. Some were so imbued with the spirit of Naaman that when Liebig told them to do some great thing they did it, and when he gave them a piece of advice which cost them neither money nor trouble to carry out, they omitted to follow it. Caird in 1852 points out the same phenomenal practices.[2] There were cowkeepers in the suburbs of Birmingham treasuring up the solid manure of the stall to sell to the farmers, while the as valuable constituents of their ashpits were washed away into the sewers; and in his preface[3] to the famous *Times' Letters* he deplores that immense mass of fertilising matter which ran (and runs) to waste from all the large towns of the kingdom.

It was a pity that just when a central authority was most needed to act as a medium between the laboratory and the field, the only body of this description ceased to exist. In 1819 the Board of Agriculture was abolished, and it was not till 1838 that the Royal Agricultural Society assumed most of the defunct Institution's duties, and advertised its purpose by adopting the admirable motto, "Science with Practice." Its annual shows were immediately patronised by all our leading livestock breeders, and visited by husbandmen from all parts of the civilised world. Pusey, Morton, Lawes, and Gilbert

[1] *Report to the R.A.S.E. on the Agriculture of Norfolk.* Prize Essay, R. W. Bacon, 1844. "Teathe" is the Norfolk term for the droppings of the sheep.

[2] Caird's *English Agriculture*, letter xxvii. Warwick, p. 228.

[3] Id. *Ibid.* Preface.

contributed articles to its Journal, and statesmen regarded its Council as their one reliable source of agricultural information. Its earliest services were the exposure of the defects of the four-course rotation on clover-sick soils, its criticisms on the virtues of fresh fertilisers, and its encouragement of fat-stock breeding and engineering inventions. There had been hitherto but few chemical institutions in the country. By the agency of the University of Oxford the Royal Society for the promotion of Natural Science had been founded shortly after the Restoration, and one or two other learned societies had come into existence in the metropolis. But, as Liebig pointed out to the British Association for the Advancement of Science in 1840,[1] "the combination of large numbers of individuals representing the whole intelligence of nations, for the express purpose of advancing science by their united efforts of learning its progress and of communicating new discoveries, was a remarkable feature of *modern times*"; and there is no doubt that the earlier successes of this German professor were largely instrumental in bringing about the institution, under the auspices of Sir James Clark, of the Royal College of Chemistry in London. In the years 1842 and 1854 respectively the Agricultural Chemistry Association and the Royal Agricultural College at Cirencester were founded in England,[2] while in 1844 some Mid-Lothian farmers started an Agricultural Chemistry Association for Scotland, which afterwards became the Highland and Agricultural Society.

The flood of scientific knowledge thus let into the soil did not really have full effect till after the repeal of the Corn Laws. The progress of agriculture after the re-establishment of peace, in 1814, was great, but not so great as it was from 1850 onwards. The invigorating effects of adversity were not to be fully experienced by the farmer till after the withdrawal of State protection in 1848. When the whole agricultural

[1] *Vide* the Dedication of the English Translation of his *Die Chemie in ihrer Anwendung auf Agricultur und Physiologie*, 1840.

[2] Loudon's establishment near Oxford, in 1810, was probably the first agricultural college in England, but it was so short-lived that it has slipped out of posterity's memory.

interest was prostrated with this blow, and men, who had borne up against the misfortunes of ruinous prices and devastating murrain, were hanging their heads in abject despair, Caird's splendid advice to make high farming a compensation for the loss of the Corn Laws[1] aroused them to renewed energy like a trumpet call. This later period, when British farming had reached the zenith of perfection, is, however, beyond the range to which we are obliged to limit our vision. Our present purpose is to closely compare the farming of those nineteenth-century experts, who carried on their craft under State protection, with that of the eighteenth-century practitioners whose sayings and doings we have already studied in the reports to the Board of Agriculture.

We shall first confine our attention to a minute examination of the husbandry of one particular county, and then extend our view so as to embrace the entire country.

The district of our choice is Norfolk, whose fortunes we have faithfully followed since the time when Tusser quaintly sang its practice of husbandry in doggrel verse—that county which has always attracted the physiologist's attention, whether because of its preponderance of dry soil, which made Charles II. desire to cut it up into strips for the highways of England, or for those qualities which render it so suitable for our present purpose and which led Dr. Fuller, an ancient writer, to assert that, "all England may be carved out of Norfolk, for here are fens and heaths, light and deep, sandy and clay grounds, meadow lands and pastures, arable and woodlands."

Let us then briefly recapitulate the chief features of its husbandry as practised in the days of Young and Kent.

We find this latter writer, in his report of 1796, extending a welcome hand to the long-lease system just coming into use, and urging on landlords its general adoption for the sake of the encouragement that it would afford to the cultivation of those commons and warrens which then composed a large portion of the county.

The general system of husbandry was the six-course shift,

[1] *High Farming as the best substitute for Protection.* Sir James Caird, 1849.

...ng with wheat and followed successively by turnips, ...arley or oats, and a two-years' layer. The olland (as the second year's clover or sainfoin root was called), as soon as the last hay crop had been harvested, was pared, wrest-balked, harrowed, and ploughed; the wheat was sown broadcast at Michaelmas and ploughed. After harvest the stubble was fed till Christmas with turnips thrown on it, then scaled and ploughed in two-furrow ridges, and four more earths were given before the barley was sown. As soon as this latter crop was removed the stubble was ridge-balked before Christmas, harrowed in March, and ploughed thrice more. Farmyard muck at the rate of twelve loads per acre was ploughed in shallow, and then it was sown with turnip seed and rolled. Finally crushed rape-cake was drilled in as a top dressing, and the young plants kept clean with the hoes. Upon poor land half this crop was drawn, while half remained to be fed off by sheep; but on good land the whole crop was removed into the cattle yards. As soon as possible after the fallow was cleared of the roots it received three earths, and the barley was then sown as before. A few days later clover and rye-grass, less generally sainfoin seeds, were sown, and the new layer mucked in the ensuing spring.[1] The substitution of sainfoin for clover seeds was strongly advocated by Kent on account of its manurial effects on the ensuing wheat crop; but neither Young nor Kent could have given a true scientific reason for this result, and even Bacon, who alludes to it, ascribes it to the now exploded humic theory, adding[2] that the quantity cultivated in his time was not so great as formerly in consequence of the application of artificial manures. Evidently, however, as soon as the humic theory was replaced by the teaching of Lawes and Gilbert the crop regained its popularity, for it is used by all the advanced East Anglian husbandmen of the present day.[3]

[1] This account of Norfolk farming is from Mr. Bacon's admirable Prize Essay on the subject, which the R.A.S.E. allowed him to publish in book form.

[2] Id. *Ibid.*, p. 26.

[3] I myself, when practising farming in Norfolk, had ocular proof of what I here assert.

Besides the six-course shift there was one of seven courses, in which vetches took their place between wheat and barley. But the best farmers pursued a five-course rotation, which consisted of two white crops, one root crop, and two-year's seeds. The farmers of the thin-skinned light soils of the western district avoided as far as possible the exhausting practice of growing two white crops in succession, which, however, prevailed on the richer soils of East Norfolk. Upon the strong lands where, without drainage, turnip cultivation was impossible, the course was a fallow, barley, seeds, wheat dibbled, and beans or peas. The real value of marshes and pastures was not appreciated, and the greater part of the eastern district on each side of the Yare, and also on the northern side of the Bure would not bear a bullock. Home-breds, Scots, and Irish beasts were principally purchased at Harleston or St. Faith's Fair, though Devons were fast being introduced. A good trotting variety of the roadster and a short-legged sturdy breed of draught horse peculiar to the county were in use, and the old Norfolk sheep was just beginning to make room for the Leicester.

The changes apparent by 1850 were as follows:—Between 1804 and 1821 alone one hundred and fifty-three inclosures took place; the Fen districts had been drained and clayed; the great Eau Brink Cut, which commences at Denver and empties its waters into Lynn harbour, was completed; steam pumping stations were built; and districts, which in the time of the windmills had been liable to become quaking bogs[1] whenever the breeze lulled, now yielded some of the finest pasturage in the kingdom. In order to avoid the succession of two white crops the farmers, especially of light soils, widely adopted the four-course shift, and to obtain a firmer seed-bed

[1] In 1847, Mr. Clarke in his description of the Fens in the *Journal of the R.A.S.E.* enumerates two hundred and fifty windmills and forty to fifty steam engines as constantly at work pumping out the drainage. These had been instrumental in redeeming 680,000 acres, described best in the language of Dugdale as a district "where no element is good. The air cloudy, gross, and full of rotten hairs; the water putrid and muddy, yea, full of loathsome vermin; the earth spongy and boggy; and the fire noisome by the stink of smoking hassocks."

as well as to avoid injury by frost, grub, wireworm, and poppy, a stale furrow was preferred for wheat or oats. Broadcasting of all kinds of crops made way for the row culture of the drill or dibble, and the repeated use of the inverted horse-hoe reduced to a minimum the ravages of the turnip fly.[1] Land was laid down to permanent pasture by inoculation, the mangold wurzel became more widely adopted, and Talavera wheat was grown successfully as a spring crop. The spring cultivation of this variety of cereal, however, having been found less remunerative than the cultivation of a winter wheat, had fallen largely into disuse. The western dairy-farmers sold their cows and bought Southdown sheep, whereby milk and cheese yielded precedence to fine fleeces and fat carcasses. The hitherto despised clay lands of the county came into greater favour; because underdraining, at first with stones, brushwood, whin, straw and sods, afterwards with the tiles invented by Reed and improved by Scraggs, so mellowed this clammy variety of soil as to adapt it for turnip culture. The bare-fallow disappeared from stiff land almost as completely as it had done from lighter lands. Clay became valued as a manure, and in districts where it did not exist as a subsoil it was transported in numberless cartloads for a top dressing, by which means it soon gave considerable solidity to the blowing sands of West Norfolk. The face of this part of the county got to be covered with pits, as though afflicted with smallpox, and scarcely a field at the present day does not possess a pond which marks the site where our forefathers excavated this fertilising substance.[2] By its use the sandy lands vied with

[1] Blaikie originated this practice, maintaining that everything which promoted a fine tilth hurried the growth of the plant through the period when the fly attacked it.—*Agriculture of Norfolk*, p. 89. R. N. Bacon.

[2] This was, however, a process which permanently disabled an area of the agricultural surface. A more preferable method was when the land was ridged eighteen yards apart, and a series of holes dug along the ridges down to the clay. A load and a quarter of solid clay was raised from each hole (of which there was one in every three yards), and spread on the land. The cost was 6½*d.* per hole where the clay averaged five to nine feet deep. *Agriculture of Norfolk.* Richard Bacon, p. 94. London, 1844.

the heavy in the production of fine wheat crops; while, by means of the drain pipe and the Croskill clod crusher, the latter soils competed with the former in the luxuriance of their root produce.

But the good effects of artificial foods and manures in increasing the farmer's livestock are undoubtedly the chief feature in this comparison between the husbandry of 1800 and 1850.

The returns from forty-six Norfolk holdings of all descriptions of soils in 1844, show a total of 2,235 cattle, being an average of 48½ to each holding; the average weekly number of cattle for sale on Norwich Hill was between 800 and 1,000 head,[1] and the quality of the stock does not seem to have been much behind the quantity, if we may so judge from the fact that a Norfolk farmer, in 1850, showed the finest Hereford ox on record, and got besides first prize for his Galloways at the Smithfield Fat Show.[2] Yet Norfolk never was, and probably never will be, either a breeding or a dairying county. At the beginning of the century it did not even produce its own sheep, importing all it wanted from other parts; but the increase of turnip culture and the large use of bone dust and rape cake converted it into a market for all the grazing wants of Essex, Lincoln, and Suffolk. In 1816 the statistics of the Norwich market show 75,701 sheep, and 15,659 pigs. Twenty years later they had risen respectively to 214,480 and 29,267.[3] In horses, however, Norfolk had retrograded rather than progressed. Farmers no longer rode in companies on fast trotting hackneys to the weekly markets, nor could the county boast any longer of a distinctive breed of draught horse.

The prime mover in all agricultural improvements during these fifty years was, as we have shown in another chapter, Thomas Coke, by this time Earl of Leicester. He it was who introduced the Southdown sheep and the Devon cow; who established the four-course system, and turned West Norfolk

[1] Bacon's *Prize Essay on the Agriculture of Norfolk*, p. 300.
[2] The Heaths of Horning. *Vide* Caird's *English Agriculture*, p. 174.
[3] Bacon's *Prize Essay*, p. 116.

rye to a wheat producing district; who raised the average of rentals from 5*s.* to 20*s*, and at the same time showed the farmer how he could pay this extra charge and yet flourish. If therefore we want to see the acme of successful husbandry at this period we must in imagination go, like Arthur Young did in reality eighty years earlier, and walk over the Holkham estate. On such holdings as the home-farm of the landlord, the Castleacre farm of Hudson, the Weasenham and Burnam Sutton farms of the two Overmans, or the Sussex farm of Blyth, we should have found a process of high husbandry, with one exception only, equal to any advanced practice of the present day. Mr. Blaikie, the Scotch agent, or his farming factotum, Bulling, would have pointed out the beauties and economic excellence of his lordship's Devon herd or Southdown flock. Hudson would have convinced one that in order to carry the four-course system to perfection no single shift must be stinted of its proper manures. He would have first startled the observer with a sight of the annual total expended in artificial fertilisers, and then reassured him as to the wisdom of such an outlay by affording him a comparison between the profits of his tenancy thirty years before and at present. Caird tells us that when, in 1850, he went over this farm, its occupier was not only claying the entire surface every twenty-one years and spreading over it every load of dung made on the holding, but was expending a considerable amount of capital in artificial foods and manures for it. Thus he never bought less than two hundred tons of oil cake annually, and many hundreds of pounds went in the purchase of Lawes' superphosphate, guano, salt, and nitrate of soda. This last item, however, is the exception made above, for there was too much used on the light lands of Holkham to have ensured prolonged success. Though it is justifiable to use it in proper proportions as an auxiliary for other less active fertilisers, farmers are prone, when bad seasons reduce their profits, to alter these proportions for the sake of temporary advantages. It is for such and similar reasons that those who buy much of it at the present day render their actions and motives liable to grave suspicion, and indeed few landlords permit their tenants

to introduce it at all on their estates.[1] The effects of all this extra manuring, Caird tells us, were as follows: Twenty-seven years previously the stock annually kept on Hudson's holding was 400 sheep and 30 bullocks; in 1850 it averaged 2,500 sheep and 150 bullocks. The yield of the wheat and barley had become nearly doubled, and we should not be exaggerating if we added on our own responsibility that, increased rental and expenditure notwithstanding, the profits were probably doubled also.

What has now been said of one farm or of one county will be found to apply to all England. Eighty years before Caird traversed the country, Arthur Young had made his world-famed tours, and for comparative purposes it is better to examine the two sets of statistics, each afforded by one individual mind, than those resulting from the varying points of view of many writers. Caird himself recognised this advantage, and ignoring entirely the Reports furnished to the Board of Agriculture some fifty years before, he set to work to compare the results of his experiences in 1850 with those of Young in 1770. He found that in eighty years the average rent of arable land had risen a hundred per cent., viz. from 13*s.* 4*d.* per acre to 26*s.* 10*d.*; the average produce of wheat per acre 14 per cent., viz. from 23 bushels to 26¾; and labourers' wages 34 per cent., from 7*s.* 3*d.* to 9*s.* 7*d.* Prices of produce had generally risen; butter, for example, 100 per cent., meat 70, wool upwards of 100, but bread had remained the same. The increase however of 14 per cent. on the average yield of wheat per acre did not indicate the total extent to which this produce

[1] The use of nitrate of soda became especially tabooed on the Norfolk light lands when superphosphate of lime fell into disrepute. Without the lasting manurial effects of the latter, the immoderate use of the former brought about a speedy exhaustion of the soil. Superphosphates were discontinued because they led to serious losses in the flock when fed on root crops thus manured. No scientific reason has, I believe, been recorded for this result, but it is probable that the prevalence of arsenic in the iron-pyrites of commerce used in the manufacture of sulphuric acid was at the root of the mischief. The poisonous effects of bones dissolved in sulphuric acid are, I venture to suggest, on heavier soils, neutralised by the absorbent qualities of the mould, but these are not sufficiently effective in the case of the light turnip lands of Norfolk.

had progressed. The area of wheat-growing soil had largely increased, and though most of the fresh breadth was greatly inferior to that originally under this form of husbandry, the average yield had been increased—a phenomenon only explicable by the higher farming introduced by the chemist.

It might have been thought that the extension of root cultivation, one of the results of drainage, would have bettered the position of the clay-land farmer. But this was not the case, because though butter, meat, and wool had, as we have said, largely increased in value, wheat had kept at the same price. On dairy and mixed farms suitable for the rearing and feeding of livestock, therefore, the value of the produce had kept pace with the rise in rents; on the light lands the ability of keeping sheep, afforded to farmers by the extension of green crops, had effected the same end; but on the heavily tithed clays, producers could not compete in the grain market with the low prices at which the less expensive process of cultivation on the light lands had kept wheat.

Comparing the farming of the northern counties with that of the southern, we find that the difference which most struck a southern visitor was the inferiority of the corn husbandry of the former, and the superiority of their pasturage. Cobbett had read, he says, much about the northern harvest, the superiority of Durham ploughs, and the excellence of the Northumberland system of husbandry. When, however, he visited these parts during the middle of the harvest of 1832, he was disappointed in finding what few grain crops he saw, to consist of miserable oats, those in the process of cutting still nearly green, those set up in shock with straw scarcely one and a half feet long, and those already stored in minute circular stacks containing barely three waggon-loads of sheaves. He went so far as to assert that, in the entire area of the North Riding of Yorkshire, and in half that of the county of Durham put together, the whole of the stacked wheat would not have exceeded in bulk that on the estates of Tom Baring, of Micheldever. He longed to show the sensible men of Newcastle, the farming on a fifty or hundred-acre field on the South Downs, with its four teams of huge oxen; each con-

sisting of six beasts, and its numerous pairs of horses dragging harrowing and rolling; while on the other side of the road were standing upon each acre, some five or six quarters of wheat or nine or ten of oats. He described the agriculture of the Northerner "as an unnatural attempt to ape that of Norfolk and Suffolk,—a mere *playing at farming.*"

Yet the North of England was, he maintained, by no means a "beggarly agricultural district." It was not a country of *farmers*, but of *graziers*, whose "soil of its own accord, as if, resolved to vindicate the decrees of its Maker, sent up grass under the miserable corn crops in order to punish them for their intrusion." This grass, not mixed with weeds as in the southern counties, was "standing upon the ground as thick as the earth could bear it, fattening everything that ate of it, and forbidding its perverse occupiers to tear it to pieces." Unfortunately, he adds, the "paper-money" price of corn had tempted many men to do this, and the turf of these fine pastures once destroyed, could not be restored probably in a whole century. As a further incentive to grazing, most of these northern farms, he adds, contained a large area of drilled turnips; their herds of cattle were the most beautiful he had ever seen; their sheep the most handsome, and the demand for milk and mutton by the great towns in their neighbourhood inexhaustible.[1]

Though greater facilities of locomotion in 1850 had considerably altered circumstances in districts at all remote from the metropolis, they had, if anything, increased Cobbett's arguments in favour of livestock breeding. For fat cattle and sheep deteriorate in value far more by being transmitted along inferior roads than do other forms of agricultural produce. Both rents and prices were in Young's time largely dependent on distances from the centres of civilisation, a truth which he illustrated by describing the principal highways north of Newcastle-under-Lyme, as consisting of ruts four feet deep, full of floating mud, and almost impassable even for the ordinary traveller. Along such execrable routes, how was it

[1] Cobbett's *Tour in Scotland*, pp. 1–25.

possible for the grazier to convey without loss his livestock ripe for the butcher? Hudson, the Holkham farmer already alluded to, told Caird that in the days when he had to drive his fat beasts to the London markets a sheep often lost 10 lbs., and a bullock 28 lbs. on the way, which was a waste equivalent in value to upwards of £600 on the quantity of stock he annually sent up; and corroborative of this statement is a letter written by a Mr. W. Macro, of Barrow, who drove six fat Galloway Scots up to the London Smithfield, a distance of eighty miles, and found that on their arrival the average loss of weight was one stone per head.[1] When, however, Caird wrote, railways had opened up the whole country, steamers sailed from every port, and MacAdam had revolutionised road-mending.

[1] *Annals of Agriculture*, vol. iii. p. 491.

## CHAPTER XX.

### THE EFFECTS OF AGRICULTURAL PROGRESS ON LEGISLATION.

DURING the interesting period which extended from 1800 to 1850, there were three striking impediments to any substantial improvement on the part of the three capitalists connected with the land. First, there was a legislative process which enabled the tithe owner, although he had no share whatsoever in the previous expenditure, to participate in the profits from all agricultural improvements; secondly, there were the restrictions surrounding the position of a tenant-for-life; and thirdly there was the insecurity of the occupier regarding the capital sunk in improving some one else's property. The Tithe Commutation Act of 1836[1] removed the first obstacle, the Drainage and Settled Land Acts of the forties and further legislation of a still later date[2] effectually removed the second, while the Agricultural Holdings Acts[3] of 1875 and 1883 tended to get rid of the third.

It would have probably startled most of those experts, to whose scientific teaching we alluded in the last chapter, if they had been told that their efforts were bringing about an alteration in the legislation dealing with land and agriculture. If, for example, it had been suggested to Smith that his underdrains, or to Reed that his cylindrical tiles, or to Liebig that his patent fertilisers, or to Lawes that his superphosphates were tending to alter the proprietary rights of landowner and landholder, as evidenced by the Settled Land and Agricultural

[1] 6 & 7 Will. IV. c. 71.

[2] 9 & 10 Vict. c. 101, and 12 & 13 Vict. c. 100; 45 & 46 Vict. c. 38, 47 & 48 Vict. c. 18, 50 & 51 Vict. c. 30, 52 & 53 Vict. c. 36, and 53 & 54 Vict. c. 69.

[3] 38 & 39 Vict. c. 92, and 46 & 47 Vict. c. 61.

Holdings Acts, each and all would most likely have repudiated any such insinuations. Yet indirectly, no doubt, scientific discoveries were effecting this end; and when we read how Coke, of Holkham, expended on his estate in fifty years nearly half a million of money in permanent improvements, how on the same area of land and in the same period of time his tenants laid out another half million, and how in addition to all this the building-repairs account in the estate ledger often showed an annual expenditure of £10,000,[1] we are not surprised to find that both tenants-for-life and leaseholders required the assistance of the legislature in adjusting their respective difficulties over these insecure methods of disposing their fortunes. Of more immediate importance was it however for both interests to prevent any of the common fruits of their respective disbursements from falling into the hands of outsiders, and this was perceived to be the case under the custom of discharging the tithe-debt in kind.

Especially was it so over the enclosure system, as we shall now see. By the Act of Edward VI.[2] it was stipulated that the owners of beasts or other tithable cattle "going, feeding, or depasturing in any waste or common ground, whereof the parish is not certainly known, shall pay their tithes for the increase of the said cattle so going in the said waste or common, to the parson, vicar, proprietor, portionary owner, or others, their farmers or deputies of the parish, hamlet, town or other place, where the owner of the said cattle inhabiteth or dwelleth." But that whenever the said wastes "shall be improved and converted into arable ground or meadow the owners shall pay tithe for the corn and hay growing upon the same, anything in this Act to the contrary in any wise notwithstanding." Again, though extra-parochial tithe had been adjudged to be the property of the king, the extra-parochial wastes and marsh lands, when improved and drained, were by 17 George II. c. 37 to be assessed to all parochial rates in the parish next adjoining. The number of parishes in which awards were made under the Enclosure Acts of lands and corn rents in

[1] Caird's *English Agriculture in* 1850 *and* 1851, p. 165.
[2] 2 & 3 Ed. VI. c. 13, s. iii. and s. v.

lieu of tithes was, in twenty-nine counties, 989.[1] In this sense therefore the tithe became a tax upon labour and capital, and its collection both unpopular and obnoxious. Thus we find Adam Smith[2] regarding it as a great discouragement both to the improvements of the landlords and to the cultivation of the farmers; and Archdeacon Paley[3] describing it as a tax not only upon industry, but upon that industry which feeds mankind; and as a burden falling entirely upon tillage, and operating as a bounty upon pasture.

We shall now show that it was, under the methods employed for its collection up to the Commutation Act of 1836, almost equally obnoxious to every member of the community. From the mode of its imposition not only did the producer suffer annoyance, but the consumer also; not only the tithe-payer, but the tithe-owner; not only the farmer, but the landlord. And there was scarcely an agricultural survey sent up to the Board of Agriculture that did not contain unfavourable comments on one or more of its many evils.

The farmer regarded it both as a premium on slovenly husbandry and as a charge not so much on the natural produce of the soil as on his capital. Of whatever profit he derived by means of monies paid away to his landlord or his labourers in rent or wages he was mulcted of a tenth for the benefit of the tithe-owner. An acre of land which but for the instrumentality of his skill and labour would have been wholly unremunerative, became a source of income to an undeserving outsider. If, for example, he paid £100 in the improvement and cultivation of his farm, and sold the crop for £110, the profit of £10 went in tithes, so that it would have been preferable for him to have laid out his capital in any other manner if only he could have insured the smallest rate of interest.[4] It was said that at the beginning of the nineteenth century there were, besides commons and wastes, large areas of fertile soil which were allowed to remain under

[1] *Parliamentary Return, Tithe Commutation*, March 26, 1867.
[2] *Wealth of Nations*, ch. iii.
[3] *Moral and Political Philosophy*, ch. ii. p. 406.
[4] *Vide* Marshall's *Essays on Rural Affairs.*

indifferent herbage because of the heavy tithes payable on corn land; and it was pointed out that where, as in Scotland, the corn tithe was not drawn in kind, immense tracts of similar land had been converted into fertile arable fields. Of course such circumstances as these largely affected the interests of buyers of bread.

The tithe-owner could, if he chose, cause considerable annoyance and loss to the producer. By the Act of Edward VI. the farmer was not allowed to carry away his corn or hay or other produce before the predial tithes had been previously set forth in the presence of the impropriator. The tithe-owner, either from indolence or spite, or in order to induce the farmer to purchase his annual share at a high price, would often delay to attend until a greater portion of the crop was rotten. This could and sometimes would lead to retaliation on the farmer's part. There is a story related in the Agricultural Report of the County of Hants, of a farmer, who had been offended by his clergyman, giving him notice that he was going to draw a field of turnips on a certain day. The clergyman accordingly sent his team and servant at the time appointed, upon which the farmer drew ten turnips and desired the other to take one, saying he should not draw any more that day, but would let him know[1] when he did. Such instances as these created a mischievous friction between pastor and flock, and could not fail to loosen that spiritual bond which it is so important to maintain between the two. To avoid this, many high-minded clergymen sacrificed their worldly prospects and contented themselves with a small moiety of their proper dues.

[1] To understand both these instances the reader must know that the impropriator might not set forth the tithes on pain of being punished for trespass. The farmer was obliged to do this, and to give previous notice of his intention to the parson. Even then the farmer could not set forth the tithes without the attendance of the parson, though the reading of the law on this point was open to considerable doubt. Either party was entitled to redress if he could prove in the Courts that his property had been damaged by the culpable neglect of the other, but few cared to risk the expense of so uncertain a venture as a lawsuit dependant upon the opinion of agricultural experts, which would be based on the varying customs of localities. Comp. 2 & 3 Ed. VI. c. 13.

In this respect the presence of the lay impropriator was a distinct advantage to the Church, accentuating as it did the purely commercial side of the transaction. But the farmer often suffered grievous oppression at the hands of lay-rectors; and in the Agricultural Report from the County of Northamptonshire we read of an instance where the tithes having been let for the purpose of oppression, the collector not only pounced upon the tenth shock of corn, and tenth cole of hay, but also the tenth lamb, pig, hen, egg, etc., and even went into the garden and appropriated a share of its flowers, fruit and vegetables.

Defoe tells us,[1] in his *Tour through Britain* about the middle of the eighteenth century, that, owing to the frequent disputes over the tithe, the farmers gave up the cultivation of madder in disgust, and thus left to the Dutch a lucrative source of profit in the home markets.[2]

The owners of land suffered principally in two ways. It was often found impossible for a tenant with his meagre means to improve barren soils, and his landlord therefore set to work to reckon, if by laying out a certain proportion of his capital in its cultivation, he might reasonably expect a proper interest on this expenditure. In many cases the tithe item was found likely to swallow up all the profits of the extra rent, so that this portion of the estate continued to remain unremunerative. So careful were proprietors to avoid any drain on the fertility of their lands when let out to farming tenants, that they restricted the outgoings by stringent clauses in their leases. But what was the use of this when every year a tenth of the produce disappeared absolutely into the tithe-owner's pockets? "What punishment," asks a writer of the times, "would the proprietors of these lands deem adequate to the crime of selling off the whole produce of the farm every tenth year? Yet great as the crime would be, it would not be adequate in point of damage to the right of drawing tithe in kind from their arable lands, because the farmer who sold the produce would, at least, become possessed of money to replace, in some degree,

[1] *Tour through Britain*, vol. i. p. 59, 1769.

[2] The tithe of madder was by 31 Geo. II. c. 12 charged at 5*s*. per acre.

by means of extraneous manures, the loss he had incurred by the abstraction of the home supply."

Popular though the agitation against the tithe system had grown by the beginning of the nineteenth century, very few advocated so unjust a remedy as the entire abolition of the charge. Even those who saw that in many instances the tithes had become alienated from those particular purposes to which they had been originally dedicated, also recognised that the very alienations had been confirmed and rendered subject to the rights of property by subsequent legislation, and that therefore in law, justice and equity, both clergy and lay-impropriators were entitled to an equivalent in the event of their abolition. Many remedies were suggested, but not even that finally adopted met the just exigencies of the case as altered by the repeal of the Corn Laws in 1848. A free trade in grain upset the entire economy of the market for cereals, and a short inquiry will enable us to see that it would have been better for both payer and payee had a tenth of the land been substituted in 1836 for a tenth of the value of its produce. The recipient of tithes was as much damaged by the decrease in the value of grain, consequent on the repeal of the Corn Laws, as the payer. The former ceded advantages by his acceptance of the Tithe Commutation Act, without in the least expecting that the basis of settlement was about to be, from his point of view, seriously damaged little more than ten years later. The latter, by leaving himself liable to a money loss, equivalent in value to one-tenth of his produce, entered on the struggle with the foreign wheat competitor under unfair and, as it has since been proved, impossible conditions. We have frequently advocated in these pages a State policy which leaves the Landed Interest entirely free from artificial restrictions; but as long as the soil of Great Britain is chargeable with tithe and poor rates, its cultivators are unfairly handicapped in their competition with the foreign producer. The idea, however, of substituting a portion of the land itself for a portion of its produce was not absent from the statesman's mind at the time of the Commutation Act; but the fear of widening the sphere of that pernicious economy

which placed the soil within the grasp of the "Dead Hand" unfortunately led to its ultimate rejection. It was considered that too much land had already been thrown into mortmain by the legislation, which had substituted for tithes an equivalent of the land itself, and it was realised that the office of the parson was as much injured by thus converting him into a farmer, as if he had remained a tithe collector.

Another remedy suggested at the time was the submission of the question to some impartial arbiter like the sovereign, who would, it was presumed as a preliminary step, appoint commissioners to ascertain the yearly value of all landed property subject to the payment of tithes. The procedure would have been much the same as under an Enclosure Act. The commissioners would have directed all having interest in the tithe to deliver particulars of their claims by a certain fixed date. Difficulties would only have arisen when the basis of settlement came to be considered.

On this head it was seen that by the system then in existence an acre of land under wheat cultivation was liable to a deduction on account of tithes, in nearly a tenfold proportion to that of an acre grazed by cattle or sheep. This fact in the days prior to foreign competition was capable of causing serious injury to the entire community. It imposed, as we have already shown, a premium on pasture farming, and seriously affected the price of bread. Furthermore, it was patent that if so small a cause as this was capable of affecting the price of bread, the farmers had it in their power by means of combination to limit the grain-producing area to such an extent as to gain absolute control over the prices of the entire home market. Any alteration, therefore, in the system of tithe payments, it was held, should avoid in every way the danger of enhancing the price of tillage operations, and the great object to aim at was the relief of the corn field rather than of the farmer. Accordingly those who thus argued, proposed that a land tax should be imposed in lieu of tithes bearing some fixed proportion to the rent payable. Lord Althorp tried this remedy both in 1833 and 1834, and failed, because politicians refused to recognise any basis of settlement which

introduced an impossible relationship between two dissimilar payments, and which would have converted what was a charge on the land's produce into a tax on the producer's capital.

It might have been thought that the simplest process would have been to have substituted for the value of the tithe in kind its value in specie, but that, it was foreseen, would have rendered the tithe-owner liable to serious losses on account of the depreciation, then beginning, of the value of money. This, however, did not apparently apply in the days of State protection to what was termed a corn-rent. It was therefore proposed that the average prices of grain should be taken during a certain period, that the yearly value of the lands should be estimated on this basis, and that a fifth, a sixth, or any other given proportion of the free rent (after deducting all outgoings for parliamentary taxes affecting the land), should be declared due to the tithe-owner in lieu of tithes payable in kind.

Pitt had a project for the total abolition of the tithe, and the compensation of the clergy by making them stipendiaries of the State.[1] Early in 1800 he prepared a Bill for this purpose, and though it was strongly disapproved of by the Attorney General, he persevered and submitted it to the king. Happily the latter also objected, for it is possible that if the commutation of the tithe for government securities had then become law, the English clergy would have met with the same disastrous fate that overtook their French brethren when similarly circumstanced.[2]

Another remedy was to substitute three instead of only one of the great necessaries of life produced by the English husbandman, and it was suggested that the combined prices of corn, malt, and meat should be estimated out of the septennial averages obtained from the market statistics. Lastly, in nearly every proposal, allusion was made to some process or other of redeeming the tithe-charge by means of so many years purchase.

In 1835 Sir Robert Peel introduced a Bill embodying the principles of a corn-rent, but vacated office before he had time to push his measure through both Houses of Parliament. The

[1] For a similar suggestion *vide* my book *Land Agency*, p. 231.

[2] *Political Register*, W. Cobbett. Price of Bread, August, 1804.

following year Lord Melbourne's Government took in hand the same Bill, and Lord John Russell successfully piloted it through the various readings until it became law. It was to be an arrangement, voluntary up to 1838, and compulsory after that date, whereby the parties interested agreed to commute the tithe into a corn rent payable in money. It was to be permanent in quantity, but variable in value. The productive powers of each farm were ascertained, once for all, by fixing their tithe value in three equal portions converted into wheat, barley, and oats. The average prices of these three corns were obtained from the seven years' statistics, ending 1835, of one hundred and eighty-seven markets, and were found to be 7*s.* 0½*d.* per bushel for wheat, 3*s.* 11½*d.* for barley, and 2*s.* 9*d.* for oats. That charge has, as Mr. J. G. Hubbard pointed out recently, never since been altered "save in sympathy with the general barometer of prices" adjusted annually according to the septennial averages of corn sales in the scheduled markets.

The chief objects held in view by the legislature were to remove as far as possible causes of friction between payer and payee, to insure the latter against loss by depreciation in the currency, and, by making the charge independent of the letting value of land and the quality and quantity of production, to put a stop to its deteriorating effects on the agricultural enterprise of the farmer.

There have been many complaints over this new departure in tithe history, some of which it is well worth our while to consider.

The clergy themselves resented any interference with what they have always regarded as private property, and have never forgiven Lord John Russell for his justification of this step on the plea that he was dealing with a national possession. They also objected on religious principles to a remedy which, by severing the connection of tithe with produce, cut away the ground on which the Church had always based her claim; for, after 1836, the Mosaic Law, demanding of the producer one-tenth of the earth's increase, no longer afforded the ecclesiastical tithe-owner a divine right to this possession. The clergy

also raised the more mundane objection that the measure mulcted them of a considerable portion of their profits by leaving the producer only liable for the money value of one-tenth of his grain instead of as formerly for predial, mixed, and personal tithes—and indeed this sacrifice, amounting to 30 per cent of their original dues, was not, as it was intended to be, compensated for by entire emancipation from future unpleasantnesses over the collection of what remained. Section 80 of the Act of 1836 makes the landlord responsible for the debt, but he managed to contract himself out of it until the Act of 1891 tied him down more securely to this undertaking. The tithe-payer, as well as the tithe-owner, had his grievances over Lord John Russell's arrangement. The farmers complained that only the superior qualities of grain found their way into the scheduled markets, that when sold there the prices included the profits of the middleman, so that the averages derived from such a source were greatly in excess of the profits obtainable by the producer had his entire crop of "tail" and damaged grain been included in the valuation. Nor could they see the fairness of a system that placed on an equal footing the cultivators of rich and barren soils, as well as the grazier and the corn husbandman.

Most of these grievances are purely imaginary; for, as we have shown, the productive powers of each farm were ascertained at the time of the passing of the Act, and the dislike of grass-land farmers to becoming the objects of a payment entirely based on grain averages has been subsequently demonstrated to be more suitable to a tithe-owner than a tithe-payer. In fact Mr. J. G. Hubbard a few years ago took considerable pains to examine the effects of substituting a meat basis for one of corn, and made out a table giving the weights of beef and mutton worth £100 upon the prices of 1829–35 for the fifty-one years ending 1885; from which he proves that the meat basis would have averaged from £10 to £12 higher than the grain basis for the same period.

The most plausible objection advanced by the farmer was the first one, and this the Board of Trade took in hand. After careful consideration, however, it refused to recommend any

radical alteration in the processes introduced by the Act, stating its belief that no other basis would so effectually exclude all disturbing elements, except those caused by good or bad harvests, in the estimation of the corn averages. It was hardly to be expected that the Board would have done otherwise; for had the statesmen of Lord Melbourne's cabinet foreseen the disastrous effects of the Repeal of the Corn Laws on tithe property, there is little doubt that they would have introduced a measure far less lenient to the tithe-payer. Indeed Sir James Caird[1] has shown that between 1836 and 1876 the rent of tithable land had increased from thirty-three millions a year to fifty millions, while the tithe rent-charge of four millions has remained constant. In this sense therefore the tithe-owner has lost two millions a year by the Act of 1836.

The history of the Extraordinary Tithe Rent Charge is beyond the limit of this present undertaking, but as it illustrates vividly the drag on the high farming of these later times which the old system of tithe payment might have become, we must give a brief sketch of its origin.

When the Tithe Commutation Act was under Parliamentary consideration a deputation of Middlesex market-gardeners pointed out to Lord John Russell that if they were not afforded some special protection they would soon be driven out of the market by the competition of future market-gardeners who, by improving the neighbouring commons and arable lands, *after* the date of the Act, would evade the heavy tithe rent-charge now about to be imposed on themselves. The Government had been ill-disposed to discourage the vegetable, fruit, and hop gardeners by rendering them liable to any increased tithes whatsoever, but this view of the case, as illustrated by the Middlesex deputation, compelled Lord John, much against his will, to introduce the system of extraordinary tithe. It met with the approval of the hop and market-gardeners of the times, but it had a strong repellent influence on any future extension of the area devoted to this form of agri-

[1] *Landed Interest.* Sir James Caird.

cultural industry, and it finally led to such heartburnings and discontent that its restrictive clauses have been gradually but surely relaxed by the Acts of 1839, 1873, and 1886.

The second great impediment to the improvement of agriculture was, as we have said at the beginning of this chapter, owing to the limited powers of the tenant-for-life.

The restrictive effects of the Statute de Donis (still a part of the English law), had been partly neutralised by the Statute of Fines[1] and evaded still further by the practice of Common Recoveries, but the majority of English landowners still grasped at any process which could retain their inheritance in the same family. By the statute of Hen. VIII., estates-tail had been placed on the same footing as other estates of inheritance with regard to forfeiture for treason. In the civil wars of the eighteenth century, the landed gentry became doubly anxious to evade this Act, and Sir Orlando Bridgeman, a Royalist lawyer, with the assistance of Sir Geoffrey Palmer, by showing them how this might be done, invented the modern entail.[2] Land was settled for life on two or three living individuals and on some unborn person as tenant-in-tail. By this means those owners of realty convicted of treason forfeited only their life-interest, and the estates remained in the same family. Though the life owner has never been able to bar the entail, the tenant-in-tail as soon as he comes into possession has been able to do so ever since 1472. Prior to the year 1833 he was in theory permitted by law to cut off the entail on coming of age, though practically he was powerless to do so without the consent of the tenant-for-life.[3] But after the Act of 3 & 4 W. IV., by being henceforth specifically compelled to obtain the consent of the protector of the settlement, he was not even permitted to enjoy this empty boast. Thus this statute, though it replaced the awkward process of a Common Recovery or a Fine with that of a simple deed, if anything

[1] 32 Hen. VIII. c. 36.

[2] *The English Land Laws.* Moss, 1886.

[3] If the tenant-in-tail happened to be the tenant-for-life, he could bar the entail by deed but not by will.

rather lessened than increased the possibilities of disentailing. Nor did the Thellusson Act, as we have seen in an earlier chapter, affect the principle of the Family Settlement, which is one of those practices with which the State lawyers are loth to meddle until it is proved detrimental to the interests of the community.

Hardly a generation goes by without recourse being had to a deed of re-settlement. If not when the eldest son comes of age, at any rate when he marries, some such process is required before he can provide for the maintenance of himself, the fortune of his wife and the subsistence of future children. The evidence before Pusey's Committee on Tenant Right in 1848, showed that more than two-thirds of the kingdom consisted of estates under settlement, and Caird declared[1] that a considerable portion of them were so heavily burdened by this process that the means of improving the land were quite beyond the reach of their owners. All farmers with capital avoided such impoverished properties, which therefore came under the cultivation of men whose meagre powers of improving were on a par with those of their landlord.

Besides the nominal master of a landed estate, there was a plurality of owners, such as mortgagees, rent-charge recipients, annuitants, jointresses, etc., who drew their incomes from the rental, and very often the unfortunate squire retained less than sufficient to defray the costs of management. In all such cases, wherever there was a family, it was only natural that every spare guinea should be put by for the future support of the younger children, in preference to being expended in permanent improvements.

Public opinion was (and is) strongly opposed to the practice of family settlements, and many are the evils which the advocates of a free trade in land imagine they see in it. Thus, for example, they consider a custom which places a young, inexperienced youth of twenty-one at the mercy of his father, as little short of an outrage on public morals. The "boy," it is said, joins his parent in an ante-nuptial arrangement and signs away rights of inheritance the value

[1] *English Agriculture*, p. 53. J. Caird.

of which he cannot as yet be supposed to realise. The secrecy of the whole transaction is termed underhand, and the legislature is called upon to break down "the exclusive and invidious customs which prolong the artificial and absurd distinctions between real and personal property."

But our Government professes to protect and not attack property. In the words of Mill, "it gives legal effect to first occupancy, by treating as the aggressor the person who first commenced violence by turning, or attempting to turn, another out of possession." In this case, therefore, it interfered only where the interests of the community had been shown to be in jeopardy. It drew a distinction between the land that was private property and the produce of the land that was public riches. It protected the rights and encouraged the energy of proprietors in order that the fruits of their labour might continue to swell the public purse. The bulk of the heavy lands were wet and unremunerative; for a long time the landlords and farmers were unable to set about remedying these natural defects; then, towards the end of the eighteenth century, a Warwickshire farmer hit upon a process which lessened the evil. Elkington cut a few deep drains, made a few augur holes, and tapped the reservoirs of these springs. By this rough and ready remedy he cleared the clayfield of a portion of its superfluous moisture, and increased its productive powers. The Government recognised in this service a distinct advantage to the national purse, and rewarded him with a handsome present of money. The Essex process, as it came to be called, gave place in time to furrow drainage, and Smith of Deanston in the year of 1823 reintroduced and perfected the parallel drain system of Palladius, and still further augmented the fertility of the heavy lands. The obstacle which now alone impeded progress was the combined reluctance and inability both of the life-tenant and leaseholder to expend capital on a class of improvements out of which they could only expect to derive a small modicum of the ultimate profits.

Still distinguishing between private property and public wealth, the State sanctioned a system of private loans which

provided the landlords with the necessary funds, and insured ultimate repayment within a fixed period, as well as absolute security for the money advanced. Then the repeal of the Corn Laws and the potato famine between them absorbed all the spare cash of the landed capitalist, and the services of the Government again came into requisition. The principle of the Private Drainage Acts of 9 & 10 Vict. c. 101, and 12 & 13 Vict. c. 100,[1] was extended, and improvements which hitherto had been beyond the means of either landlord or tenant were now with this assistance of the legislature eagerly undertaken. The Settled Estates Acts of 1856, 1858, 1864, 1877, 1882, etc., are in fact a miniature history in themselves of the gradual development of landed property during the last period of our narrative.

We have seen at the beginning of the century a clamour on the farmers' part for leases, to which the landlords more or less responded as far as they were able. But at first, unless specially empowered by the deed of settlement or will, the tenant-in-tail could not, unless he had recourse to a private Act of Parliament,[2] grant a lease to last longer than his own life. By the qualified permission afforded to the tenant-for-life by 32 Hen. VIII. c. 28, numbers of these contracts for twenty-one years were, as we have shown earlier in this work, in use when Pitt's disastrous Currency Act of 1819, brought the practice into bad odour. Then for a time both landlord and farmer were well content to take their chance under the yearly agreement. In 1833, the legislature made a half-hearted attempt to secure fixity of tenure to the husbandman, and the tenant-in-tail in possession was allowed to make leases for twenty-one years But even then the person who owned the estate for his life only (before the tenant-in-tail)

[1] There were besides Pusey's ineffective Public Money Drainage Act of 1840, a more workable Act of 1846, the Private Drainage Acts, alluded to in the text, the West of England or South West Land Draining Company's Act (11 & 12 Vict. c. 154) and the General Land Drainage and Improvement Company's Act (16 & 17 Vict. c. 154).

[2] Mr. Brodrick states that 700 of these Acts were procured in the early part of this century. *English Land and Landlords*, p. 135.

could not grant leases binding on the latter. Gradually, however, the powers of the tenant-for-life in this respect were slightly widened, so that in 1856, and still more so in 1877, they were approaching the freedom which, under the Act of 1882, allows a landed proprieter to ignore within certain wide limits the interests of the remainderman.[1]

Both the Government Loan and the Lease System are however open to grave objection, in order to understand which we must go somewhat into details in examining their respective machineries. The sums voted by Parliament for private drainage works, etc., were soon exhausted, and Land Improvement Companies took up the lapsed process and lent monies for the erection of buildings and construction of other improvements on the security of the certificate of the Enclosure Commissioners which gave them a first charge on the inheritance. The interest, viz. 4½ per cent., on which the Land-companies lent their monies, was apparently reasonable enough, but when there came to be added to this the sinking fund, calculated to repay the loan in twenty-five years, together with the interest and sinking fund on the first expenditure, it was found that the total rate of interest was sometimes as high as 15 per cent. and averaged generally 7.[2] By 1878 the total capital thus sunk in the land amounted to £12,000,000, and the question began to be mooted whether a charge of 7 per cent. was not too heavy on the tenant-for-life, and therefore if a permanent mortgage at a much smaller rate of interest were not preferable. It was, however, recognised that the latter process would in time deal a death blow to the Family Settlement System. The alternative was to give the tenant-for-life permission to liquidate any debts incurred on account of permanently improving his estates by selling a portion of the settled property. In support of this remedy it was argued that in the commercial world it would

[1] *Principles of Real Property*, ed. 1892, p. 113. Josh. Williams.

[2] *English Land and English Landlords*, p. 69. G. C. Brodrick.

[3] The Savernake case of last year would tend to prove that even the mansion house is not sacred to the commercial proclivities of a tenant-for-life.

be considered rash for a tradesman or merchant to carry on, by means of borrowed money, a business too large for his available fortune, and that his proper course would be, not to widen his capital by borrowed funds till it covered all the wants of the expenditure connected with the undertaking, but to reduce the limits of the undertaking till it obviated the necessity of widening his capital. No prudent farmer undertook a tenancy too large for his means, and therefore no landed proprietor should be left under the necessity of succeeding to such a *damnosa hereditas.*

Many, however, contended that this should not be the chief end of a wise Government; that what was really wanted was a measure calculated to promote the application of free capital to the soil; and that this would be best effected by the abolition of family settlements altogether. Again, however, the Legislature refused to wantonly interfere with the rights of property; so while it maintained the principle of entails, it afforded the tenant-for-life a loophole of escape from one of its chief drawbacks. It in fact gave him the choice between carrying on a large business with crippled means, or of reducing it to a working concern in proportion to the remaining capital. Under the latest Land Legislation the inheritance *per se* remains intact and inviolable, only its form being alterable; but every stick and stone of the realty can, under certain circumstances, be converted into the scrip and bonds of personalty by means of certain legal formalities and a few strokes of the pen.

We now come to discuss the third and last remedy required before English husbandry could be free for further development. Ever since the Statute of Gloucester (6 Ed. I) which established the maxim, "Quicquid plantatur solo, solo cedit," the occupier has had the greatest difficulty in reaping the full harvest of his improvements, and neither an elaborate system of tenant-right, nor the most equitable of leases, nor even recent legislation have afforded him that perfect security to which he is entitled.

The drawbacks to the agricultural lease are as obvious to-day as they were in 1850, and no practical man who has had

the management of landed estates will be found to advocate the system, unless under exceptional circumstances. It may, for example, occur that an impoverished farm is thrown on the landlord's hands. Nitrate of soda and neglect have effectually done their work of devastation. The tenant, for some years heavily behind-hand with his rent, has not had the face to go to the estate office and demand attention to the repairs of the homestead. The landlord, for his part, has long lost heart, and discontinued the process of bolstering up so desperate a cause. If such a holding is to be re-let to a capable husbandman, it will be necessary to expend both landlord's capital on repairs of buildings, and tenant's capital on renovation of the soil. In this case, therefore, fixity of tenure, such as the lease alone affords, is indispensable. But in ordinary circumstances the abrogation of the powers by which the one party is able to get rid of an obnoxious tenant, and the other can become free from a tyrannical landlord, is a foolish policy. The lease never yet succeeded in keeping an unpopular farm tenanted, nor an unpopular tenant secure from annoyance. It never has been a beneficial economy for the landlord, and it only was such for the farmer as long as the system of tenant-right was defective. It was, of course, preferable to those unwritten agreements based on the varying customs of localities. In Caird, therefore, that shrewd man of practice, we find a pronounced foe of tenant-right, and a strong advocate of the lease. He hated to see the brassplates on the doors of the appraisers, and argued from their very brightness, that their owners throve on the disputes between landlord and tenant. The business of the land valuer, he maintained, was to promote constant changes from farm to farm, and to destroy confidence between owner and occupier. Custom of the country, he declared, encouraged trickery and deceit, crippled the incoming tenant, and allowed the outgoing one to prolong his farming existence by means of borrowed capital. The inventory, consisting of manures, and half-manures, rent, taxes, ploughings, harrowings, etc., etc., required an immense amount of calculation to make out, which was necessarily based almost entirely on the evidence of the interested party. It was an

economy which created a class of farmers who were such adepts at cheating that they would migrate from holding to holding, subsisting mainly on what they pillaged their temporary landlords out of the inventory. Nor did it, Caird maintained, conduce to superior husbandry, in fact all the best farmers of his acquaintance were opposed to the system. It absorbed too much of that capital which the tenant especially needed at the time of entry, and therefore in those districts where it did not exist Caird imagined that he found a higher system of agriculture. It was, too, a possible cause of ruinous embarrassment to the landlord, for his tenants might combine and threaten him with the alternative of having all his farms in hand and some five years' rental in the form of tenant-right to pay, unless he complied with their unreasonable demands. As a substitute therefore, Caird suggested that the landlord should buy up the tenant-right and introduce the lease system, entirely omitting the one palpable objection to such an arrangement, viz., the almost certain recourse of the tenant towards the termination of his tenancy to an exhaustive system of husbandry which no lease, however stringent, has ever been able to adequately restrain.[1]

Landlords, however, as soon as drainage and other expensive improvements came into fashion, began to see that there must be some limit to the system of tenant-right. A tenant might blunder over an expensive drainage undertaking, and on quitting the holding come upon his landlord for the costs of the "unexhausted improvement." So the country gentry began to substitute compensatory clauses in their yearly agreements, and thereby contract out of the Tenant-Right System.[2] Then ensued instances in many counties, particularly those in the north and west, where the tenant's unassisted

[1] Caird's *English Agriculture*, passim.

[2] The unprofessional reader will not confuse the terms Tenant-Right and Good Will, though they were never kept quite distinct by the farmers. The former included emblements and every other unexhausted improvement, while the latter signified, besides all these, some mysterious power of bequest which the outgoer possessed, and for which it was well worth the incomer's while to pay. It is not yet extinct, as I myself can bear witness this year of grace and agricultural depression 1893.

improvements had been taken unfair advantage of at the termination of the agreement. In these later times of mineral and other artificial manuring, expensive drainage operations, and high farming, a one-sided yearly agreement might work serious havoc with a steady tenant's hard-earned savings, and a quarrel with his landlord over the game or some other trivial circumstance, might sever him for ever from the just fruits of a capital almost entirely buried in the soil. The hardships of all this were not so palpable to outsiders as they were after that wonderful run of agricultural prosperity which set in from 1850 and lasted twenty years. Thus when in 1845 Lord Portman attempted to obtain from Parliament a legal recognition of the farmer's claims to unexhausted improvements the time was not ripe and the laudable effort was unsuccessful. But when competition for vacant farms once more brought into existence the conditions of Ricardo's theory of rent; when land again appeared to become the monopoly of its proprietor, that Adam Smith had imagined it to be, and when landlords could afford to be arbitrary if so inclined, the occasion which we have maintained alone justifies the legislature to interfere with freedom of contract arose. The flow of public wealth was capable of being obstructed by the want of confidence engendered in the minds of farmers by the loss of their profits on improvements. So just thirty years after Lord Portman's futile attempt the Government took the matter in hand, and first by introducing the optional Act of 1875 cautioned the landlords against the practice of withholding their off-going tenants' just dues, and afterwards by the compulsory statute of 1883 further admonished them that their powers in this direction were henceforth limited.

The motives and actions of statesmen are not always so just and their interference with private interests is sometimes based on less sound principles than in the example above. For instance, at times we find the Executive asserting this prerogative of interference under conditions which strongly savour of class favouritism, at others it is hard to see where any public benefit could be derived from its intervention, though that may have been its ostensible object in acting.

In 1814 the Government very wisely repealed the Statute of Labourers, thereby in the interests of the community annihilating another portion of the landlord's magisterial powers. But surely for the sake of those same interests it might have retained the clause[1] compelling the farmer's servants to work in harvest, since a strike at that important crisis of husbandry is to be deprecated on grounds of public utility. If ever the time-honoured culinary principle that what is sauce for goose is sauce for gander, can be applied to other circumstances, here verily must be an instance. If capital has its obligations to the community, certainly labour has also, and must therefore be quite as subject to State interference as other sources of National riches.

Let us conclude this chapter with a short historical sketch of the Game Laws, as illustrating the two opposite sides of this problem of State policy; the one where the motive for interference appears to have been class favouritism, and the other where it was clearly that of menaced public interests.

The history of our game legislation may be divided into three periods, the first regulated by the Forest Laws and confining the rights of sporting to the king and his favourites; the second during which the Game Laws replaced those of the forest, thereby admitting the owner of the soil to the pleasures of the chase on his own estate; and the third ushered in by the Game Act of 1 & 2 Will. IV. c. 32,[2] whereby any one through purchase of a certificate becomes entitled to sport subject to the law of trespass.

All early legislation on this subject of course presupposes property in game, and all alterations in it portend a change of national opinion either as to what animals are property, or as to whose property they should be. In the old Anglo-Saxon times, owners of temporary grants on the waste, after that, by their lord's help, they had converted it into *lænland*, expected to be able to support themselves on it "by hunting, fowling and fishing," until it was converted as *bocland* into "their

[1] 5 Eliz. c. 4, s. 22.

[2] Compare also 24 Geo. III. sess. 2, c. 42; 25 Geo. III. c. 50; 52 Geo III. c. 93; 54 Geo. III. c. 141.

perpetual heritage."[1] It is doubtful, however, whether such rights of sporting were at this period more definite than other communal claims, such as, for example, estovers; and we must come down to mediæval times before we can arrive at any reliable definition of "property in game." It is, however, evident that no variety of the brute creation is, in a state of nature, the property of man; and it is a tradition of the Common Law that goods, of which no one can claim proprietorship, belong to the king by his prerogative. Consequently all animals *feræ naturæ* are styled in the statute book "H. M.'s game."[2]

Such ownership (which, however, has not passed unchallenged) carries with it the sovereign's right to alienate, and consequently establishes, at any rate since the Conquest, the seignorial monopoly of sporting on the manorial lands. That monopoly is further confirmed whenever a landlord seizes, captures or confines a wild animal, because it is another maxim of our Common Law that an animal thus subjected to human restrictions becomes private property until it releases itself or is released from its unnatural surroundings. Consequently we find that the enclosing of deer in forest or park, and of rabbits in field or warren, constitutes an act of ownership over these creatures as long as they remain thus confined. Whenever, therefore, a freeholder found a pheasant on his property, he was entitled to let fly his hawk, and by reason of the first property, which he had in it *ratione soli*, to enter the lands of others, follow up the quarry, and appropriate it when overtaken by his falcon. Yet the fact of having found it on his own ground did not give him a right to pursue it on that of another, and then to fly his hawk, nor did it entitle him to recover it, if killed by his hawk, in any privileged place for birds such as a warren.[3]

[1] *Growth of English Industry and Commerce.* Dr. Cunningham, Pt. 1, p. 61, Note 2. 1890.

[2] *Epitome of the Game Laws*, from the 24th edition of Dr. Burns' *Justice of the Peace.* Sir G. Chetwynd, p. 546. 1824.

[3] The old law has been adapted to the circumstances of the present day; for though a sportsman may lay aside his gun and collect his

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[1] *Treatise on the Gam*
[2] R. *v.* Utley, 1 T. R.,
[3] Jones *v.* Smart, 1 T.
[4] Talbot *v.* Eagle, C. P

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perpetual heri eservation of game possible and profitable,"[1] the rights of sport mus in the public mind on the subject is of communal clai to deter many from fully exercising their come down to
reliable definie Game Act, by establishing a legal right for evident that ill game, subject only to the law of trespass, of nature, the or for further legislation. A considerable sec- Common Law lic began to murmur at a code which severely prietorship, b criminal offence what they consider should be a quently all an People profess their sense of equity to be out- "H. M.'s gam r a farmer after killing game on his tenancy
Such owne e terms of his agreement, is indicted in the challenged) ca minal for that which, so they assert, is a mere and consequen tract.[2] We strongly suspect that the secret the seignorial ity is a desire to still further break up the That monopo ch excludes them from participating in the seizes, capture his sport. A belief therefore, of which this maxim of our ather, and King William's Act the mother, to human re grained in their understanding that all game releases itself *æ*. But when a landed proprietor goes to Consequently xpense to confine, breed, rear, and preserve park, and of animals, it would be decidedly unjust to refuse ownership ove property over them. If this were done, it is at confined. Wh whether a Lancashire collier or a Welsh quarry- on his proper er afterwards be capable of drawing the fine reason of the fi essary between the *meum* and *tuum* of, say, a enter the lan and a cock pheasant. In fact if the ancient priate it whe by our Common Law between animals subject having found rights and those not so subject, are to be to pursue it ow here can they be re-erected?
did it entitle hroperty in game received another rude shock privileged pla 24 Vict. c. 90 even game proprietors were

[1] *Growth of Eures*, p. 8. G. Shaw Lefevre, 1893.
1, p. 61, Note 2. andowner in Scotland is, in the absence of any agree-
[2] *Epitome of* rary, the legal representative of game rights, the occu-*Justice of the Pe* s under similar circumstances recognised as such in our
[3] The old law nce the necessity for an English landlord to reserve his day; for though in all agreements of tenancy.

placed on the same footing as other sportsmen, by having to take out a licence before going out shooting. Certainly in both these later Acts the Government would seem to have exercised an interference with vested interests, not so much for the sake of the community as a whole, but on behalf of that small section of the capitalist class to which the heritage of sporting rights had not till then extended.

By interposing a State license between the proprietor and his furred and feathered property, this statute abolished another of the chief distinctions between animals that are private property and those that are *feræ naturæ*. In this sense it is undoubtedly a further step towards converting an offence which is nothing less than theft into a mere act of trespass. It would seem indeed as if the legislature already regarded game as wild; for when a poacher is arrested with it in his possession, unless it has been started and caught on the same estate, it is held to have become his private property. The poacher therefore naturally regards it in the same light, and cannot be brought to recognise that he is in the eyes of every one, save those of the Law, a thief.

The objections to the present poaching code, are, that it is too inquisitorial, and that the game-owner in his office of magistrate is a biassed interpreter of its meaning. If all game is *feræ naturæ* the laws are too severe; if, on the contrary, it is private property, they are too lax. A large majority of the public would therefore prefer the abolition of this portion of our penal code, and its substitution by one Act treating the poacher as a thief, and making the same punitory distinction between day poaching, night poaching and the poaching affray, as are made respectively, say, between petty larceny, burglary, and robbery with violence.

We come now to the other phase of this question, namely how far the existing Game Laws protect the community's purse from losses by over-preservation?

That farmers and land-agents have always deprecated excessive game preservation, history affords no uncertain evidence. Ever since the rabbit ceased to be regarded as a part of the profitable livestock of the farm, ground game has

been banned by all earnest husbandmen. Thus, for example, Edward Lawrence, the land-surveyor who flourished in 1726, expresses a wish "to abolish the keeping of rabbits and much game of any kind," and Nathaniel Kent of Fulham, an equally impartial critic, who wrote in 1776, advises "lenity, forbearance and confidence," in all matters connected with game, pointing out that farmers are better guardians of, and do their duty more ably to it, than any keeper. Marshall, a land agent of Norfolk, who wrote the *Rural Economy* in 1786, protests against the practice of overbreeding all kinds of game, and Defoe in his *Tour through Britain* in 1769, speaking of this same county, describes the pheasants on its stubbles "as plentiful as domestic fowls," and concludes therefrom that its landlords were "more tradesmen than gentry." Arthur Young objected to too many hares and rabbits on wider principles, citing as a reason for his dislike an instance where the landowner preserved so much ground-game that the tenant decided to sow no more carrots. It was not the hardship to the tenant to which Young objected, for he expressly relates how the man's landlord had generously compensated him for his losses, but it was the regret of a true farmer that such drawbacks to general good husbandry should remain unchecked.[1]

Prompted by the same laudable motive, the State in 1881 once more interfered with seignorial rights; but had Sir William Harcourt who fathered the Ground Game Act of that year, been a land-steward, he would probably have based his policy on Kent's opinion (shared, be it remembered, by that champion of the squirearchy Lord Beaconsfield), and in abolishing gamekeepers, have both preserved the sport of shooting and protected the interests of farming.

[1] *Annals of Agriculture*, vol. ii. p. 136. 1774.

# CHAPTER XXI.

## COBBETT AND MILL.

Some biographies are in themselves fragments of general history. Such, we think, will be a short account of the words and actions of Cobbett and Mill, extending as they do over that period of the nineteenth century with which we are now dealing, and representing a view of our subject entirely opposite to that which the writings of Young and Caird have afforded.

No two characters could have been less alike than those we are now about to discuss. No two men exercised a more baneful influence on the position of the landed proprietor than Cobbett, the son of a Hampshire peasant, and Mill, the descendant of a Scotch shoemaker. Lastly, no two individuals could have set about their self-appointed tasks under more diverse circumstances than the lads, one of whom at the age of fourteen was a skilful ploughboy, and the other an accomplished scholar.[1]

Cobbett's characteristics were principally inherited. He possessed many of the virtues, most of the failings, but none of the vices of his class. Like his former comrades in the ranks he was dogged, fierce, coarse, and faithful. Throughout his existence in America he never forgot that he was a native of Old England, and when he returned home he did not allow the fact that he had been born a peasant to remain long concealed. He was proud of the little thatched cottage of his boyhood, with its two windows shaded respectively with a damson tree and a clump of filberts. He never wearied of recalling

[1] Cobbett was born in 1762, and died in 1835. Mill was born in 1806, and died in 1873.

the humble circumstances of his training, the milk sop for breakfast, the apple pudding for dinner, the hunch of bread and morsel of cheese for supper, the fire of turf cut from the neighbouring waste, and the evening light of a rush soaked in grease. At the age when Mill was reading Greek, Cobbett was crawling home after a day's rook-scaring, almost too fatigued to scale the gates and stiles in his path, and hungry enough when he got there to follow his granny's behests, and make a palatable supper off the bread by merely smelling at the cheese. Mill tells us regretfully that he "never was a boy"; there was something in the petulance and inconsistency of Cobbett's matured manhood that leads one to infer that he was hardly ever anything else. Even in the former's pursuit of recreation, viz., the "peripatetic oral examinations" with his father, he was learning the philosophy of calmness and self-control, while at the same age the latter was playing unworthy tricks to spite Bradley the huntsman by drawing a red herring across the trail of his hare. During the most impressionable years of human existence Cobbett was picking up the rough practical lessons of life's economy in the turnip field, the barrack room, and even the gaol. Mill, on the contrary, was all this while the constant associate of the poet and the philosopher. Prolonged intercourse with inferiors brought out and developed in Cobbett all the hereditary vulgarities common to the rustic. Apologising once for his roughness, he said: "I have so long had the misfortune to keep a parcel of badger-hided fellows in order, that I am like a drummer that has been used to flog old offenders. I have become heavy-handed." Mill's early training, on the contrary, repressed freedom of utterance, and rendered him diffident and modest when before the public.

The minds of both, however, though influenced by opposite forces, were firmly set against the monopolies of landed property. Each took his own method of showing his hostility, and letting the community into the secret of the weak points in the enemy's harness. The onslaughts of Cobbett were like a wild beast's, those of Mill like the overpowering advance of some noiseless machine. The former rushed forward with

tooth and nail, and attacked the squires in their own parks; the latter sat at his desk, and moved up with pitiless logic argument after argument, until he made his final dash at some stronghold of seignorial power. Cobbett went up and down the land making word-pictures of what he saw with his own eyes. Mill studied some instance of landed monopoly with the mental vision of the utilitarian, and forced even an opponent to acknowledge the justice of his reasoning.

There is something tremendously convincing in the terse, forcible English of Cobbett, the practical eye-witness, but there is even more danger to the owners of the soil in the calm, unbiassed language of Mill, the theorist. It would be difficult to decide whether Cobbett during his *Rural Rides* did more harm to the Landed Interest by sowing discord in its ranks, than Mill did by opening the eyes of outsiders to the evils of the whole system in his *Principles of Political Economy*. There is no poetry, and very little elegance of diction, in the *Rural Rides*, but the descriptions of country life are dangerously realistic. Very few people, excepting the labouring class, are sacred from their author's caustic tongue, and nothing, however trivial, seems to escape his roving eye.

He rides along the lanes, and keeps a sharp look-out over the hedges. Now some neglectful piece of husbandry detains the quondam ploughman, and anon something ludicrous arrests the attention of the satirist. Of all varieties of the genus squire, the "fundlord," as he calls him, raises his ire the most. One day he passes through a locality where one of these new landed capitalists has just pitched his tent. "Came through a place," he says, "called a park. Of all the ridiculous things I ever saw in my life, this place is the most ridiculous." We wonder what could have started him in this strain, and find that the new proprietor has invested some of the proceeds of his late merchandise in building a Gothic dwelling-house, and laying out the grounds in a picturesque style. The unfortunate man is accused of impiety because he has decorated a few gable ends with crosses, and formed an empty saint's niche in a fir-wood arch. There is a swamp which has been turned into a pond; its sides have been laid out after the

Dutch fashion in geometrical flower beds; a fountain and a basin have been constructed, and a rustic bridge thrown over the brook. A runnel of water issues from a lion's mouth at one end, and the rustic arch with the empty saint's niche at the other leads upwards to the house. The inventor of this microscopic paradise is called "an honest person from the 'Change," who has surrounded himself with evidences of the Romanist religion (the crosses on the gable ends, and the niche in the arch, forsooth), in order to figure as one of ancient lineage. Because the waterspout into the basin is not larger than the pour from a teapot, and the brook bridged over could be leaped by a child of four, the whole construction is condemned as foolery. It is worth while to keep this picture in view before we go deeper into Cobbett's writings, in order that we may be prepared for exaggerated abuse whenever the writer falls foul of his subject.

He rides on and reaches Highclere, where the herd of Galway cows grazing on the lofty downs compensates his vision for the disgust but recently generated by the ginger-bread architecture. He admires the stately oaks in Lord Carnarvon's coverts, but anxious, possibly, to prevent the erection of further arches, he regrets that he cannot burn the larches and firs. Then, true to his crusade against the landed system, he begins to picture the Jew in possession of all this wealth of scenery, judging from the depressed condition of the pork market that his lordship's rent days are numbered and himself on the verge of insolvency.

One cold frosty morning in November he rides down on to the more level country of South Wilts, "where the flints cease, and the chalk comes nearer the surface." Here his quick eye takes in the farmhouses, with their twenty ricks, "besides those standing in the fields." He glances at tracts of wheat, 50, 60, or 100 acres apiece, and then a group of women, awaiting the measurement of their reaping work, arrests his attention. "Such an assemblage of rags," he tells us, "as I never before saw, even amongst the Farnham hoppers, many of whom are common beggars." "There were some pretty girls, but ragged as colts, and pale as ashes. The

day was cold, too, and frost hardly off the ground, and their blue arms and lips would have made any heart ache but that of a seat seller or loan jobber." He rides on into the village, values at a thousand pounds the whole collection of buildings, including a "thing" (the Town Hall) standing out in the middle, and alights in the yard of the inn. Here he learns from the ostler the name of the place, and breaks out into a tirade against Parliamentary representation, on finding that it returns two members to the House of Commons. Asking the inn servant the names of these worthies, he is maliciously pleased to hear that they are so seldom there as to be practically unknown. Before leaving the neighbourhood, he notes the impoverished circumstances of those who, if he could have his way, should be their electors. "Their dwellings," he says, "are little better than pig-beds, and their looks indicate that their food is not nearly equal to that of a pig. Their wretched hovels are stuck upon little bits of ground on the roadside, where the space has been wider than the road demanded. It seems as if they have been swept off the fields by a hurricane, and had dropped and found shelter under the banks of the roadside. In my whole life," he adds, "I never saw human wretchedness equal to this; no, not even amongst the free negroes of America, who on an average do not work one day out of four. And this is prosperity, is it? These, oh Pitt, are the fruits of thy hellish system!" Something that John Bennett, M.P., had said about the gallon loaf being a sufficiency for the maintenance of farm labourers, was at the source of this outburst, for further on, he talks of Wiltshire as "the horrible county of the gallon loaf."

But Cobbett did not content himself with taking silent notes at the time, and publishing his antagonistic views later on; he struck, wherever he could, while the iron was hot. He was let loose on rural society, just when the agricultural distress was at its height. From 1821 to 1832 he was traversing the country on horseback, chattering to the labourers at work, addressing the farmers at the market ordinaries, and examining into the prices of produce, wages of labour, and rents of land. Amidst the prevailing discontent, a far less powerful

personality than his would have found an only too-willing audience.

He was a churchman, but he never spared the parson on that account. He showered blows indiscriminately wherever he imagined he beheld a sham or an oppressor. One day he is lampooning some dissenting minister whom he overhears in a hovel, discussing with its occupant the superior housing accommodation of a future life; the next he is painting the legalised pastor of the flock in the blackest colours. At times no one, however disposed to impartiality, can keep patience at his reckless abuse. Such an occasion occurs when we recall his language at the Winchester Market dinner on September 28th, 1822. He gets up and proposes the toast of "a large reduction in tithes." He tells the rustics that all that mass of wealth, termed "tithe, is not Church property, but public property, and may, of course, be disposed of as the Parliament shall please." So far, though we may disagree, there is nothing reprehensible in his speech. Lord John Russell, we have seen, in the sobering position of a Minister of the Crown, used identical language when introducing the Commutation Act some years later. But he goes on to impute to a class, which is the acknowledged exemplar of parochial morality, every sordid and unworthy motive imaginable. "There appears," he says, "at this moment an uncommon degree of anxiety on the part of the parsons to see the farmers enabled to pay rents. The business of the parsons being only with tithes, one naturally, at first sight, wonders why they should care so much about *rents*. The fact is this, they see clearly enough that the landlords will never go long without rents, and suffer them to enjoy the tithes. They see, too, that there must be a struggle between the land and the funds—they see that there is such a struggle. They see that it is the taxes that are taking away the rent of the landlord and the capital of the farmer. Yet the parsons are afraid to see the taxes reduced. Why? Because if the taxes be reduced in any great degree (and nothing short of a great degree will give relief), they see that the interest of the debt cannot be paid, and they know well, that the interest of the debt can never be reduced until their tithes

have been reduced. Thus then, they find themselves in a great difficulty. They wish the taxes to be kept up, and rents to be paid too. Both cannot be, unless some means or other be found out of putting into, or keeping in, the farmers' pockets money that is not now there." He next demonstrates that the only resource left to the clerical party is "to squeeze rents out of the bones of the labourers." The Winchester magistrates, it appears, had just been putting into practice the Speenhamland device, viz., lowering the remunerative rates of honest labour while, by extending the system of relief, they favoured dishonest pauperism. Cobbett deduces from this policy that the great outcry then raised against the six millions absorbed in poor-rates was virtually an outcry against wages, of which the rates were chiefly composed, and he endeavours to divert popular discontent (by much the same means as he diverted Bradley's harriers) to the seven millions devoted to tithe offerings.

On another occasion, alluding to that Institution, the Board of Agriculture, which did so much good during its short existence for all classes connected with the land, he writes as follows: "The reports and other publications of this Board will hereafter be preserved by curious men, as specimens of solemn foolery; but there will be found amongst them some of a very mischievous tendency, especially those which relate to the proposed '*compensation*,' as it is called, for tithes in kind, which is neither more or less than a proposition for seizing the revenues of the Church, and for making the clergy stipendiaries of the state."[1]

The best policy for the rulers of a community which contained individuals so indiscriminate in their abuse as this man, was to leave them severely alone. All Cobbett required was a sufficient quantity of rope, and presently he might have hung himself. But the Government pursued an entirely opposite policy, and prosecuted editors and writers almost daily. By fines and imprisonment they made a martyr of Cobbett in 1810, and by threatening him with the same treat-

[1] *Pol. Register*, "Price of Bread," 1804.

ment in 1819 they converted him into a hero, and themselves into a laughing-stock for all the discontented people in the kingdom. Cobbett evaded the Gagging Act and fled to America, but he took care to avoid the imputation of cowardice by means peculiar to his genius. One of the first *Weekly Registers* which came across the Atlantic contained a description of a fight between a butcher and a drover at Barnet Fair. Each, armed with the weapon of his trade, attempted to get the better of the other, the drover parrying with his ox-goad the stabs of the other's knife. No one, says Cobbett, accused the drover of cowardice for not defending himself with his fists against the butcher's steel, and no one, therefore, could justly accuse himself of this failing when he used "the long arm" to evade imprisonment.

A single glance at the portrait of this demagogue will suffice to show the reader that such a bull-dog face might be coaxed, but not coerced. Lord Cochrane, his neighbour, knew how to manage him, and once got him to pour water on the flames of popular discontent just at the height of the Luddite riots. His address to journeymen and labourers throughout England in 1816 calmed the frenzy of the working classes, but stirred to madness the Government to whose assumed blundering Cobbett took care to attribute the disturbances. The Luddites were bands of labourers and artizans who went from place to place destroying the machinery. They either adopted or received their name from one Ned Ludd, a Leicestershire idiot, who had initiated this senseless policy some thirty years before. Cobbett treated them as if their intelligence was not much superior to that of their notorious prototype. In a letter addressed to them in November of the same year, he terms them "Friends and Fellow Countrymen"; begs them not to mistake him for one of those who presume that men are ignorant because they are poor; refuses to enter into a discussion on the causes of the quarrel between themselves and their employers, and confines his subject to the relationship of mankind with machinery. With admirable tact he first makes the most of their limited intelligence, pointing out that with savages the machine is unknown; it is the produce of the mind of man, and is therefore confined to those civilised com-

munities of which their particular class comprises an important part. The picture of the small society of shipwrecked mariners, who have to start a fresh economy with but a bag of wheat and a little flax seed in a fertile but deserted isle, was open to an understanding of the lowest type. The misery of the unfortunate sailors is related in the fewest and simplest of words, and the delightful change of scene when implements and machinery are opportunely tossed up by the fickle sea out of a second wreck, would have done more to impress upon the rustic mind the importance of mechanical invention to the human race, than even a long acquaintance with its profitable results. Then he goes on to show how inconsistent his Luddite friends had been. They destroyed a threshing machine, but spared a flail. To effectually carry out a purpose based on their reasoning, they ought to abolish every kind of implement which replaces the appliances of nature. Corn could be rubbed with the hands, and winnowed with the breath, and, therefore, "away with the flail." Even the teeth themselves are a species of grinding machine, and by Luddite laws should be extracted.[1]

Like the bull dog, too, he could be faithful, and in 1806 he retires from the canvass of the Honiton electorate in favour of his friend, Lord Cochrane. When finally he got into Parliament he calmed down, and became a different person. No one could recognise in the ruddy face, with its smallish features, and peculiarly cynical mouth and sharpish eyes, erectly set on the tall, strongly-built, elderly frame of Cobbett the M.P.,[2] the blustering and rough exterior of Cobbett, the stump orator.

Leaving for a space the study of this singular person, let us, by way of contrast, examine the various steps by which Mill led up to some conclusion antagonistic to landed interests. Chiefly connected with his name is the doctrine of the "unearned increment."

He contended that when the value of land increased by circumstances not dependent upon the capital or labour of its proprietors, the community was entitled to a share in the profits. This principle, under the name of Betterment, has

[1] *Pol. Register*, Nov., 1816.

[2] Lord Dalling's description.

taken root in America, where, whenever municipal improvements increase the value of suburban property, the proprietors are subjected to a graduated tax. There is no telling how soon the same process may be introduced into this country, so that it affords us a good example, both of the direction in which Mill's genius was working, and the powerful and lasting influence it exercises on the human race.

By means of a *Sorites*, we are led link after link along the chain of his argument. First, we have a definition of private property; next, we have subtle distinctions drawn between different kinds of property; then we have landed property singled out as subject to laws and rights different from those of other sorts of property; and, lastly, the attack on seignorial monopolies unmasks itself. Each person, it is contended, has "a right of exclusive disposal of what he has produced by his own exertions, or received by gift or fair agreement, without force or fraud, from those who produced it." And, further, though nothing ought to be treated as private property which has been acquired by force or fraud, yet, possession which has not been legally questioned within a moderate number of years ought to be a complete title. Mill's next point is to show that the right of exclusive ownership cannot be applied to all kinds of property. The raw material of the earth is not the produce of labour, and if it were possible to separate the gifts of nature from the productions of human industry, he would hand over the former to the community, only allowing the individual owner to retain the latter. Though the land itself is not the produce of industry, most of its valuable qualities are; and, so long as its proprietor is its improver, Mill suffers him to exist. He will, however, have no sinecurist quartered on the soil; maintaining that private property under such circumstances fails to fulfil the original conditions by which he had defined it. With admirable skill the great utilitarian turns this piece of reasoning into an attack on the system of family settlements, pointing out how an English landlord is by this process severed from the pecuniary resources which would enable him to improve his property, and is forced to depend on borrowed capital for the funds re-

quired for this purpose. No man, he asserts, made the land; it is the original inheritance of the whole race, and, therefore, landed property is a different thing from other property. Such circumstances, he goes on to assert, give the so-called owners no right to the land, but only to compensation for that portion of their interest in it of which it may be the policy of the State to deprive them. If the land were bought with the labour and abstinence of themselves or their ancestors, compensation is due even to those landlords who have become little more than burdens to their property; presumably, even to the two Scotch dukes who, according to Mill, had deprived their estates of all the principles of private property by devoting them to other uses than those of cultivation.[1] The last link in the *Sorites* is the establishment of the theory that the State has a claim on the "unearned increment." "Suppose," Mill writes, "that there is a kind of income which constantly tends to increase, without any exertion or sacrifice on the part of the owners, those owners constituting a class in the community, whom the natural course of things progressively enriches, consistently with complete passiveness on their part. In such a case, it would be no violation of the principles on which private property is grounded, if the State should appropriate this increase of wealth, or part of it as it arises Now this," he goes on to say, is the case with rent. The landlords grow richer, as it were, in their sleep, without working, risking, or economising. What claim have they, on the general principle of social justice, to this accession of riches?"[2]

It is not our present purpose to criticise the various steps in this line of reasoning, but simply to lay before the reader the dire straits to which landed proprietorship had attained, when such subtle agencies were undermining the landlord's cherished prerogatives.

The influence of Mill depended upon the logical and judicial characteristics of his mind, that of Cobbett upon a thorough familiarity with all the ins and outs of the landed economy. A man who had spent the first portion of his working life in

[1] *Principles of Political Economy*, vol. i. bk. ii. ch. 2, *passim*.

[2] Id. *Ibid.*, vol. ii. bk. v. ch. 2, p. 360.

ploughing, harrowing, reaping, thrashing, feeding cattle, and grooming farm-horses, would be likely to be recognised as an authority on English husbandry. Cobbett did not advance the science by precept or example, but he was behind the scenes in all its controversies. He was an excellent forester, had practised arboriculture, and written a treatise on the planting of woodlands. Many years spent under a peasant's roof supplied him with ample material to fill 207 pages of an octavo volume, with some exceedingly valuable hints on the economy of cottage life. Talking therein of the labourer's pig, he declares that a flitch or two of bacon is a great source of harmony between a married couple, does more to prevent poaching than all the penal statutes that ever were enacted, and that the policy of encouraging the working man to keep tame animals effectually hinders him from going in search of wild ones.[1]

Illustrative of Cobbett's defective insight into political questions is the following piece of reasoning in the *Political Register* of August, 1804, on the price of bread, which was particularly low at this moment. Another Corn Law was being passed through Parliament; this time to encourage exportation, instead of, as a few years back, to discourage it. A General Enclosure Bill, and the commutation of the tithe, had been strongly advocated by the majority of the correspondents to the *Board of Agriculture*, and the Cabinet, with Pitt at its head, had begun to regard both subjects as within the sphere of practical politics. The chief reason, it will be remembered, for these expedients was the encouragement of corn husbandry. This enabled Cobbett momentarily to throw King George's advisers on the horns of a dilemma. He saw in the enclosure system a direct infringement of labourer's rights, and in the commutation of tithes further damage to the wage-earning cause. If the tithes were an impediment to the corn farmer, he asked, why should funds be provided to enable him to export corn on the plea that the land has produced too much? If the proposed General Enclosure and Commutation of Tithes

[1] *Cottage Economy, containing information relative to the brewing of beer, making of bread, keeping of cows, etc.* W. Cobbett, 1822.

Bills became law, the community would be required to disburse more money in bounties so as to get rid of the superfluous cereals by increased exportation. This was specious reasoning, but its inconsistency is apparent in the ensuing paragraph. "Nevertheless," adds Cobbett, "if the quartern loaf should again rise to eighteen pence, I should not at all wonder to see a revival of these remedies, these State nostrums, especially the project of commuting the tithes." He does not, apparently, perceive that with the rise in the price of bread, the opposite policy of discouraging the exportation of grain would follow as a natural consequence, with which the encouragement and extension of the grain-producing area would then be quite consistent.

Into such a mistake as this it would have been impossible for the logical mind of Mill to fall, and perhaps it will enable us to gauge and compare the abilities of these two men most graphically, if we consider some instance of controversial economy in which both took a part. With no topic was Cobbett either more interested or more familiar than the improvement of the lot of the working-classes, and at the same time, no problem is calculated to more effectually evoke a display of all those mental gifts with which Mill was by nature so generously endowed.

The latter kept two objects in view whilst seeking measures for the relief of the working-man. The first was the effect which would be produced upon the character of the individuals benefited; the second was the change which would be brought about in their daily life. Thus, however greatly some proposal might improve the material existence of the industrial class, it failed in Mill's eyes, if it did not improve their *minds* also, and in making any suggestion of a similar nature, he refused to separate the sentimental from the more practical sides of this problem.

The ideal relationship between rich and poor had hitherto been that of the parent to the child. It was the superior's duty to see to the education, religion, clothing, amusement, and food of his inferiors. This was the old feudal polity of protector and protected, a seductive picture full of admirable

and unselfish sentiment. But Mill found no room for such a relationship in the altered feelings of society. For human beings of ordinary strength and courage to glow with the warmest gratitude and devotion in return for protection, was to him unnatural and mean-spirited. "The laws protect, and, where laws do not reach, manners and opinion shield them." Mill saw, therefore, in the paternal system of government merely an excuse to oppress; and, though in mediæval times the protection of a superior might be the only condition of safety, in these latter days to be in some one else's power was tantamount to being exposed to grievous wrong. He imagined, too, that the working-classes of Western Europe were growing opposed to the system of hiring and service, that the days of the hewers of wood and drawers of water were numbered, and that the labour interest had become powerful and intelligent enough to demand as a right, what it formerly had to seek as an indulgence. Mill, therefore, wanted to see the lot of the poor, in all things which affected them collectively, regulated *by* rather than *for* them, and in order to prepare their intelligence for this change of State policy he was a strong advocate for facilitating their better education.[1]

Turning to the more practical side of the problem, we find Mill enunciating the thesis that the prosperity of the labouring class depends upon the proportion between the remuneration of the workman and the prices of his necessaries. Wages themselves are regulated by the demand for and supply of labour; in other words, they rise or fall according to the proportion between the population of the labouring class, and the supply of circulating capital. The condition, therefore, of the class can be bettered in no other way than by altering that proportion to their advantage. Causes consequently that tend unduly, either to increase or diminish the labouring population, are worthy of careful consideration. In Ireland, for example, the potato famine, having increased the death rate, had reduced the ranks of the labour party. In England, Pitt's Poor Law, having encouraged improvident marriages, had had an opposite tendency.

[1] *Principles of Political Economy*, vol. ii. bk. iv. ch. 7.

Confining his attention to the evil of over-population, Mill points out that it can be, and had been regulated, by either law or custom, and cites instances abroad where both agencies were in operation. In England, however, he shows that neither law nor custom has to any extent been brought to bear on the difficulty. The practice in certain localities where a small clique of landlords banded together, and, by limiting the supply of cottage accommodation, restrained population in their particular parishes, was the only instance of such a policy; and Parliament, recognising the injustice of a procedure so detrimental to the neighbouring districts, was even then about to abolish it by making the poor rate chargeable on the whole union instead of a single parish.

Mill's remedy was to establish a national scheme of colonization, first on the waste lands of England, and ultimately on those of foreign countries. Side by side with such a proposal he placed his other suggestion. The people, he maintained, must be educated to such a degree of common sense that they could see for themselves the boundary line between provident and improvident marriages, and judge how soon after it has been crossed, their migration to less crowded districts becomes a prudent consideration.

But Mill fully recognised that a policy such as his would widen the breach and embitter the feud between capital and labour, and he therefore urges on both interests the necessity of a co-operative system, the germs of which, even at the period when he wrote, were apparent among the tin mines in Cornwall and on the decks of American ships in the China seas.

All this is the very essence of philosophical thought, and though we may cavil at a remedy which presupposes the possibility of artificially perfecting the intelligence of a class too busy with its hands to devote much time to brain work; we cannot despise a solution of the difficulty which gives a preference to the principles of the mind over those of brute force.

When we turn to the "*exaggeratio ad captandum vulgus*" form of argument employed by Cobbett, though it ignores just those points where Mill makes his stand, we are afforded a

closer insight into the circumstances and wants of the labouring classes than that to which any closet student, however gifted, could admit us.

Now Cobbett, inconsistent in most arguments, never abused the English Poor Law system. In the days before he was prejudiced against all authority, he describes it as the best in the world—the fairest for the giver, and the least degrading to the receiver. "So wisely," he asserts, "did our forefathers contrive this system, that the compulsion being general, has in it nothing invidious on the one part, or humiliating on the other. The poor man in England," he maintains, "is as secure from beggary as is the king upon the throne, because when he makes known his distress to the parish officers, they bestow on him not alms, but his legal dues." [1]

If we search the volumes of the *Political Register*, *The Poor Man's Friend*, *The Legacy to the Labourers*, and other works of Cobbett, we shall find this doctrine maintained. Writing, however, in 1820, he declares that "England now contains the most miserable people that ever trod the earth. It is the seat of greater human suffering, of more pain of body and of mind, than was ever before heard of in the world. In countries which have been deemed the most wretched, there never has existed wretchedness equal to that which is now exhibited in this once flourishing, free, and happy country." [2]

But this pessimism was not intended to prepare the public mind for an attack on the Poor Laws, for he goes on to assert, "In this country, however, the law provides that no human being shall suffer from want of food, lodging, or raiment. It said, and still says, that to make a sure and certain provision for the poor is required by the first principles of civil society. But what do we see before our eyes at this moment. We see all over the kingdom misery existing to such an extent that, *in spite of the Poor Laws*, there is a system of general beggary under the name of subscriptions, voluntary contributions, soup shops, shelters in the metropolis, etc."

[1] *Porcupine Priestley's Charity Sermon for Poor Emigrants.* Cobbett's note, vol. ix. p. 389.

[2] "To the Industrial Classes," *Pol. Reg.*, 1820.

Thus we find Cobbett in absolute accord with tha[t] ism expressed some twenty years later by Mill against ... paternal system of poor relief. He was equally eager to see the labouring classes self-dependent, but he was entirely opposed to Mill as to the causes for, and remedies of, their distress.

When in 1807 Whitehead advocated from his seat in Parliament increased facilities of education as one of the chief remedies for the working-man, Cobbett broke out into violent abuse,[1] maintaining that it was just as absurd to make a Minister of State or an astronomer mow or reap, as to make those who live by the sweat of their brow to learn reading and writing. Education, he said, might remove men from the fields to the city, but would not add by this means to their happiness. He declared that the labouring classes were possessed of a finished education already, and that the word ignorance was misapplied when used as the opposite to book-learning.

Illustrative of this view, he related an amusing story from the Law Courts. A judge and a sailor seem to have once approached the subject from two opposite standpoints. "Not know the meaning of the *implication?*" asked the former; "what an ignorant fellow you must be!" "Well," continued the latter after the interruption, "as I was saying, he took hold of the *painter*." "The painter!" interposed the judge; "what's that?" Upon which, the sailor retaliating in his turn, accused the royal representative of ignorance.

The scheme for further education Cobbett maintained, was but an excuse for another cursed tax, and taxation was at the root of all that misery which the Poor Laws were powerless to counteract. "Your salt," he said to the labour class, "pepper, soap, candles, sugar, tea, beer, shoes, etc., are taxed.[2] Though a kind Providence throws up the first-named abundantly on your shores, yet a bushel of it used by a middling family in one year costs you in taxation about 18*s.*,[3] and out of your

[1] *Pol. Register*, *sub voc.* "Poor Laws," 1807.

[2] Cobbett on the subject of taxation is only a degree less forcible than Sidney Smith.

[3] "To the Industrious Class," *Pol. Reg.*, 1820.

hardly-won earnings, the State abstracts all the annuities and pensions bestowed on undeserving sycophants and their descendants." "In the days of old Fortescue," he says, "the English were clothed in woollens throughout, but that was a time before the nation had become mortgaged."

During one of his rural rides he passed through a "recluse" hamlet, and over the door of a place not half so good as a hen-roost, his indignant eye detected the words, "Licensed to deal in tea and tobacco." "Even here," he writes, "the taxing thing had reached, and had permitted some wretched individual to serve out cat lap to his equally wretched fellows for the sake of collecting funds for pensions and sinecures."[1] He therefore implores the working classes to leave the tax gatherer behind, and seek in America that livelihood which is denied them at home, pointing out that a short month's voyage without danger or hardship will land them on the shores of freedom and plenty.[2]

Ten years later he relates in his *Eastern Tour* how he saw the industrious classes *fleeing from the country* in every direction. From the North and West Ridings he watched the crowded wagons making for the canals leading to the ports of embarkation. "Ten large ships," he writes, "have gone this spring laden with these fugitives from the fangs of taxation." Amidst this bustle of departure Cobbett hurries in and out, exhorting the emigrants to select the United States in preference to those villanous colonies which are held for no earthly purpose but that of furnishing a pretence of giving money to the relations and dependants of the aristocracy."[3]

So jealous was he of the rights of the labouring class under the old economy of pauper relief that he views with the greatest suspicion any attempts of the legislature to improve it. In 1834 the Earl of Radnor had addressed his peers in favour of a general system of centralisation. He was anxious to take the administration of local poor-relief out of the hands of the overseers and guardians, and establish a board of com-

[1] *Rural Rides:* "Ride from Burghclere to Petersfield," Nov. 7, 1825.
[2] "To the Industrious Class," *Pol. Reg.*, 1820.
[3] *Rural Rides:* "Spittal," Ap. 19, 1830.

missioners instead, contending that the education and experience of the former did not predispose them to impartiality and justice. He had admitted that in exceptional cases, as for instance, the parish of Ringham, the management left nothing to be desired, and that if all localities were thus impartially governed no change would be necessary.

Cobbett finds that the parson of this parish was a certain Mr. Lawe, who was both a great payer of poor-rates and a magistrate. His principle seems, according to Cobbett, to have been to render relief as irksome and disagreeable as possible, so that none would consent to receive it who could possibly do without it; while at the same time it should come in the shape of comfort and consolation to those, such as the old, infirm, idiots and cripples, whom every benevolent man would wish to succour. For this purpose a steady, cool-tempered stranger was placed in charge of the workhouse; the husbands occupied one side, the wives the other, and the children went into the schoolroom. The whole *régime* aimed at comfort and cleanliness, but avoided luxury, and the result was apparent in the increased efforts made by the able-bodied to become self-dependent.

Now the basis of this arrangement was the supposition that the poor-rate system created an indisposition in the minds of the able-bodied to find work, and secondly, that there was sufficient work for all if they would undertake it. This Cobbett strenuously denied. He admitted that the administration of the Poor Laws was bad, but contended that Acts like that of Sturgess Bourne's, by placing fresh powers in the hands of the rich, augmented the evil.

Turning to the Bill then before Parliament, he proceeds to examine the doctrines it was intended to promulgate, as openly expressed by the Lord Chancellor.

These were—

1. That all legal provision for the poor, in whatever shape, or under whatever name, is injurious to the poor themselves.

2. That the poor have no right to relief other than what is given by Act of Parliament; and that, of course, that which the Parliament can give, the Parliament can take away.

3. That landlords will all become paupers themselves, unless something be done to put a stop to the increase of those all-devouring poor-rates.

With regard to the first of these propositions, Cobbett himself admits that he shared the same views at an earlier period. Since then his mind had changed, principally because he could find no better substitute to meet the necessity than the existing legislation. It was preferable for men to apply for relief under the prevailing system than, as in Scotland, to go from door to door with a beggar's badge on the shoulder and a beggar's licence in the pocket. It was infinitely preferable than that they should be again branded in the cheek, and with iron collars and manacles become slaves to the rich, as in Tudor times; and lastly, it was no more degrading for them to have this resource in old age or sickness than for the disabled soldiers and sailors to draw their pensions.

Turning to the second proposition, Cobbett maintained that the right of the poor to claim relief was antecedent to all Acts of Parliament, a practice and duty of the landlord and tithe-owner long before the existence of monasteries, never subsequently removed, but expressly reserved by Henry the Eighth's abolitionary legislation, and, therefore, a constitutional right of the poor of his day as completely as it had been of their Papist forefathers.

If, therefore, according to proposition 3, the landlords required State assistance, Cobbett called upon the Lord Chancellor to afford it out of the fifty-two millions absorbed by taxation instead of out of the comparatively trivial four millions and a half devoted to pauper relief. In conclusion, he asserts that nine-tenths of the magistrates and clergy disapproved of the Bill, that the farmers and tradesmen detested it to a man, and that the entire community saw in it a project for drawing the rates, and (what was still worse), the wages of the poor into the pockets of the landlord.[1]

But enough has been now said to demonstrate the influences set in motion by these two opposite characters, Cobbett and

[1] "To the Earl of Radnor," *Political Register*, Aug. 6, 1834.

Mill, during the first fifty years of the present century. It was lucky for the landlords and farmers that the force of Cobbett's attack was expended before that of Mill made itself felt. Had these two been contemporaries; had Cobbett's ocular familiarity with what he discussed been joined to the depth of reasoning powers developed in the inglenook by Mill, and had a concerted attack emanated from the pens of both, the Land Laws of this period would have assumed a still more revolutionary character than what they actually bear.

## CHAPTER XXII.

### THE EMANCIPATION OF LABOUR.

NOTHING is more interesting, nothing more important to this History, than the struggles of the labourer to be free. At this late period of our narrative, however, such a topic as his emancipation would seem a startling anachronism, for surely by now he had shaken himself clear from any lingering relics of his serfdom! Yet a short examination will bring to light evidence that the abolition of feudal customs at the time of the Restoration had not entirely obliterated the seignorial powers, which in mediæval days tended to reduce him to a mere chattel of his master.

Up to the year 1795 the justices were empowered to order the removal, not exactly to their manorial, but to their parochial birth-place, of all poor persons likely to become chargeable to the ratepayers of their newly adopted home. This virtually reduced the entire labouring population to the old condition of the *adscripti glebæ*; for though this law of settlement (as it was called) would only apply to those unfortunates who could not subsist on their own industry, the ability to do so rested entirely with the representatives of the employer's class, in that it depended upon the proportions which the latter chose to fix between the price of bread and the rates of wages.

The landowning interest therefore retained, less directly perhaps and certainly less effectually, that control over their workpeople's food, remuneration, times of labour and place of abode, which mediæval landlords exercised over their villeinage. In other words, the landowners as magistrates had it in their power, first by a manipulation of the rates of bread and labour to pauperise, and secondly to restrict the freedom of habita-

tion of the wage-earning class to one particular parish instead of as formerly to one particular manor. This monopoly, like many another seignorial right, was not destined to escape the fierce scrutiny which public opinion turned upon everything connected with landed property from the beginning of the present century. Here, however, as we might expect, the exterior pressure on the landlords was insignificant. The condition of the poor was entirely under the control of the seignorial class, and though their dispensation of poor-relief, combined with their control over the rate of wages, hours of labour, and the price of bread, tended to render the working classes more and more dependant on eleemosynary assistance, no one except themselves contributed the necessary funds out of which such assistance was derived. Marshall, in the first volume of his *Rural Economy*, gives an instance where the unfair incidence of pauper relief to the agricultural interest is accentuated. The township of Modbury became the seat of a woollen manufactury which, for a time, was carried on with much energy and enterprise, but eventually failing to be of longer service was abandoned. All the vice and debility which it had drawn together was left by the manufacturer as an expensive legacy to the farmers, so that in a neighbourhood where the poor-rate averaged 2*s.* in the pound, Modbury was contributing 5*s.*

A certain Mr. Donaldson in 1795 cited more unjust instances still. In the parish of Kettering, in Northamptonshire, the poor-rate was 15*s.* in the pound at the rack rent, and in the parish of Norwich it was no less than 24*s.* Thus, in the latter case, while a tenant was paying £20 to the landlord, he was contributing £24 to the poor-rate. The cause of this high assessment in both cases was the ruin of the weaving interest by reason of the war, and consequent depopulation of the district. In the former parish two neighbours might be imagined, the one a landlord, the other a stockholder; the one in receipt of £1,000 in rents, the other deriving an income of £1,750 from profits in trade; the former mulcted of £750 for poor-rate, the latter liable for nothing more than some £60 on account of the assessment on his house. To prolong a class of legislation which brought about such incongruous results as the above, and which

was originated when manufactures were in their infancy, before three per cents, India bonds, exchequer bills, scrip, omnium, etc., were dreamed of, was, as Donaldson pointed out, to convert laws originally arranged on equitable principles, into engines of oppression. Surely even before the Elizabethan statute the land had obtained a part quittance of its duties on this head by its early tithe-offerings? Was it not monstrous for the nation to expect it to be borne down in perpetuity by a grievous load of taxation which those interested in other forms of capital would not raise a little finger to alleviate? The manufacturer and the trader might no doubt draw public attention to the iniquity of a system which confined a poor man to one locality, and then fixed the cost of his food and wages at a rate entirely inadequate for the purposes of livelihood, but they had no right to utterly ignore the fact that they contributed not a single farthing towards that fund which alone saved him from utter destitution. Without then the convenient reasoning of the political economist, it would seem almost justifiable for the landed proprietor to take out of wages a portion of the share which the manufacturer inequitably withheld from the national poor funds. At any rate it would have been unprecedented audacity and shamefacedness had the commercial interest brought pressure to bear on the landed interest in order to remedy a state of affairs for which their apathy was mainly answerable.

We have already in a former chapter produced ample evidence confirmatory of the rapid growth of prices out of all proportion with that of wages, but one further instance will no doubt confirm what we have said about the emergency of this disastrous condition of affairs as strongly in our readers' minds as it did in those of the public nearly a hundred years ago. Arthur Young, in his *Annals of Agriculture*, relates that a Suffolk labourer still lived who remembered the time when with the weekly wages of 5*s.* he could have purchased as much food as was costing him 26*s.* in 1801, when his wages were 9*s.*

It is, therefore, not surprising to find that towards the close of the eighteenth century the public mind was set on remedying the condition of the poor at all hazards. But how? That was

the question which occupied the thoughts of statesmen, economists, landlords, farmers, and the poor themselves, and it is one that has never been satisfactorily answered up to the present day. Certainly at the end of the eighteenth century the effects of the legislation enacted prove how frequently we then failed to solve this difficulty.

The best way of benefiting a poor man is not to make things too easy for him in his poverty, but to lead or drive him out of it. The tendency of the Poor Laws was to reverse this process, so that the man who was willing to help himself was impeded, while the man who had become pauperized was encouraged to remain so.[1] "The poor-rates," said one Stanley, a Cheshire magistrate, "will in a short time alter the whole character of the English nation. They promote an enmity between the land occupiers and the poor, which makes every township a scene of warfare." Besides this form of internecine strife, we learn from another writer of the time that the most expensive litigation was common between parish and parish over the settlement question, so that the amount of trouble and money, necessary to transport one pauper a few miles, often considerably augmented the entire district's rate.

The most peacefully disposed ratepayers could not bear with equanimity such practices as, for example, the following:—A rich landlord could, if he liked, depopulate his own parish of labour, and hire what he required from a distance at quarter sessions rates, which would have to be supplemented out of the parochial poor funds where the stranger workman happened to reside. In this way the parish which employed the labour did not contribute to its entire support.

The writer to the Board on Berkshire agriculture points out that, according to Adam Smith, "the fund which originally supplies a nation with all the necessaries and conveniences of life is labour, and that consequently on the establishment of social and civil order, the triple union of land, stock, and labour formed the basis of every valuable possession."

[1] Middleton asserted that the workhouse food was greatly superior to what the labourer was accustomed to at home. Rees' *Cyclo.*, *sub voc.* "Poor."

It would have been well for those in whose lucky hands these three elements of wealth originally rested had they never released their hold of them. Instead of knitting together the interests of labour and capital, the landlords and farmers of the seventeenth century had carried forward that policy of estrangement which their Tudor forefathers had initiated. No wonder therefore that Sismondi in the land of his exile had occasion to ask: "You tell me you have improved the land, but what have you done with the labourers? You have converted vast wastes into corn-fields, but what have you given the labourer in exchange for his commonable rights?"

The Poor Laws had merely patched on to an old economy a totally incongruous one—restrictions on the working-man's liberty of action, highly essential when the head of a district was lord of its inhabitants rather than owner of its lands, were carried over into a state of society for which they were in no way adapted. It is undoubtedly true, as Mr. W. T. Thornton has said, that as long as the connection of the peasantry with the land was unbroken, England was perfectly free from every symptom of pauperism; but it is not to be inferred from this fact that the peasant's connection with the land was the cause of his freedom from pauperism, but merely that this phase of his history coincided with times when the supply of labour never exceeded the demand.

As long, therefore, as each manor required the services of every one of its inhabitants a law of settlement was essential, but when starvation or emigration were the only alternatives, the effects of such a restriction were wholly disastrous. "The law of settlement," says the Berkshire writer already referred to, "the restrictions on the amount of wages, and, above all, the inadequacy of wages in agriculture to support a family, have created and kept up that enormous mass of ills which is equally distressing and disgraceful." Our grandfathers had, in fact, not yet come to recognise all that was meant by, much less all that was beneficial in, a *complete fluidity of labour*.

If, then, a poor rustic died of starvation, his death lay at the doors of those who by artificial processes had rendered it im-

possible for him to keep body and soul together. The richer members of the Landed Interest fully recognised the responsibility of such a position as this, and attempted by private charity to supplement the public poor-funds. Some time towards the end of the century, "The Society for Bettering the Condition of the Poor" was organised, and a cursory glance either at its reports or through the correspondence of 1794 with the Board of Agriculture, will satisfy the reader that a widespread benevolence prevailed amongst the seignorial class. The king, the gentry, and the clergy (the three orders in France then being annihilated by the poor) vied with each other throughout this happier land in bestowing comforts on those unable to purchase them. At Epping, in 1794, a Society of Industry was formed, workrooms erected out of voluntary subscriptions, and spinning, knitting, and needle-work taught gratis; at Wanstead in Essex, and Greenford in Middlesex, a village shop for the supply of coals at prime cost was established; at Mongewell in Oxfordshire a general stores was formed in order to furnish for ready money all the weekly wants of the cottage; at Hadham in Hertfordshire flour was offered for sale at miller's prices; at Barton in Staffordshire an enterprising tradesman, aided by benevolent neighbours, started a dairy business for the sole purpose of supplying the poor with cheap milk. At Lower Winchenden, near Oxford, wood was scarce, and the cottages were seldom provided with that necessary adjunct of a coal fire, the grate. Public spirited parishioners therefore taught the village blacksmith how to tack together a few iron bars by means of an iron rim at each end, which, being raised above the hearth by a few loose bricks, served all the uses required of it. Then to induce the poor to change their fuel, eight families were supplied with as much coal again as they themselves had purchased. At Barham Downs in Kent the benevolent erected a parish mill, and so controlled the miller's practice of grinding that the poor were accommodated with flour, both as regards its price and time of delivery, on better terms than the farmers.[1]

[1] *Reports for Bettering the Condition of the Poor*, 5 vols. *passim*, 1795.

About this period there was perceptible a growing discontent of the labouring class with the enclosure system. The commoners realized that they were obtaining no adequate compensation for their lost rights. Subsequently the legislature attempted to cope with this difficulty, but in these earlier days the question whether or not the poor would be defrauded by an Enclosure Act depended mainly upon the magnanimity of the lord of the manor. Here, again, there were numerous instances of seignorial generosity. We have but space for one. A certain Edward Parry, lord of Little Downham Manor, in Norfolk, used his influence in getting a clause inserted in the Enclosure Act of his parish, directing the commissioners to set out a parcel of land, to be called the "Poor Estate." It was to be vested in the lord of the manor, rector, churchwardens, and overseers of the poor for the time being. It was to be let by auction on twenty-one years' leases, and the proceeds in rents and profits were to be laid out in the purchase of "fyrebote" for the cottages of the poor. This, if we come to reflect, was only justice, because the poor man was from time immemorial entitled to obtain his fuel from the old folcland. But by Mr. Parry's arrangement he was in future exempted from the expense of cutting flags, peat, and whins, a saving of labour which, if he had only known it, was equivalent to more than the purchase price of all the good firing which he required.[1]

The laudable object of all this benevolence was to unite private charity with parish relief, so as to lighten the weight of both, and to teach the poor to help themselves. It was the more praiseworthy because the bent of our Poor Law statesmen was (unconsciously, no doubt,) to discourage both these worthy aims. "Private charity," as one of the contributors to the Board of Agriculture remarks, "was equivalent to a bestowal of money in aid of the poor-rate, so that whoever maintained a poor labourer or sick widow merely exempted his neighbours from a portion of their taxes." The machinery for regulating the rates of wages was far more effective than that for regulat-

[1] *Reports for Bettering the Condition of the Poor*, 5 vols. *passim*, 1795.

ing the price of food. If the seignorial class had possessed any practical control over the latter, the hardships of the peasant might have been alleviated. But the assize of bread and other clumsy expedients were worse than useless, for they gave to the employers of labour the semblance of responsibility without its powers. Professor Rogers goes so far as to assert that the English law has never affected to fix the price of food, though sometimes proclamations have pretended to do so, and local authority has occasionally been empowered to publish fair prices.[1] Be this as it may, notwithstanding the legislation described when we discussed this subject earlier in this work, abuses of the statutes continued to prevail, and Members of Parliament kept on moving for the better regulation of the assize of bread, whilst writers to the periodicals pointed out various processes by which the Act continued to be evaded.[2] The middleman still reaped an illegal harvest by intercepting and appropriating any abnormal profits arising at a time of scarcity, before they found their way into the producer's pocket. Alderman Anderson demonstrated to the House of Commons in 1797, that on Mondays, the days on which the returns under the Act were made, it was a common practice to bring to market cargoes of wheat of a superior quality, with a view to enhance the price of flour. On Wednesdays and Fridays, when no return was made, the inferior wheat was bought at a low price for the purpose of mixing with that of Monday.[3] Thus the price of flour was from this practice much higher than it ought to have been for the average price of wheat for the three days. It would seem that the English public was in those days of Protection as much at the mercy of the middleman as it is nowadays, when the individuals who intercept the grain on its road from the producer are accountable for nearly two-thirds of its ultimate cost to the consumer.[4] The inability of con-

[1] *Six Centuries of Work and Wages.* T. Rogers, p. 508.

[2] "The Assize of Bread Act" was only repealed in 1867.

[3] *Gentleman's Mag.*, 1797, March 27.

[4] In other words, for every sixpenny-worth of bread eaten by John Bull in this present year, the miller, the baker, and the individual who lives by what Mr. Gladstone once termed "business enterprise," leave as a profit to the husbandman some 2½*d.* only.

trolling the price of food left the local authorities one remedy only, and that was to regulate wages according to prices. But it was open to the Central Authority to indirectly reduce the cost of bread by altering the Protective duties. Consequently when in 1795 the minimum price of wheat rose seventy per cent., the Government directed its attention to lowering prices, and the magistrates to raising wages. Pitt succeeded in getting the assent of the House to resolve itself into a committee for the consideration of the Corn Laws, while the justices of Speenhamland in Berkshire, and other districts of the southern counties, convened public meetings to consider the best means of reconciling the low rate of wages with the high price of food. At the Speenhamland meeting, the first of its kind, it was decided that it was not expedient that the justices should render the extra relief required, by availing themselves of their powers under the Elizabethan statute to fix a minimum rate of wages, but that they should bring persuasive pressure to bear on the employers of labour, to raise wages in proportion to prices. The decision of the Speenhamland meeting was widely adopted. Tables were published containing what the magistrates considered as fair rates of labour-remuneration after taking into consideration the high price of bread and the numbers of each family in their locality. The parish officers were empowered to make up from the poor funds the allowance thus fixed in each individual case. The same year Mr. Whitbread brought in a Bill to definitely fix a rate below which wages should not be allowed to fall.[1] In the following year he again introduced the same measure, and drew a moving picture of marriage among the labouring classes rapidly becoming impossible,[2] and the birth of a child being regarded as a curse.

[1] It must be remembered that the old wages clause of the Elizabethan Statute of Labourers was not repealed till 1813 Whitbread's motion, therefore, was to revive this section of the obsolete but not extinct law. Parliament had had constantly to complain that the statute was not kept. Comp. *Six Centuries of Work and Wages*, stereo. ed., p. 230, Th. Rogers, and *Growth of English Industry and Commerce*, Cunningham, Part II. p. 39, n. 1, and p. 470.

[2] Compare Young's description of the labouring classes: a young stranger wishes to marry and is given notice by the authorities to

Much was to be said in favour of Mr. Whitbread's suggestion compared with that preferred by the justices at Speenhamland. By the revival of the old Elizabethan statute the labourer would have received as a right what hitherto he had been receiving as a charity, whereby (we quote the words of Sir Frederick Eden) his spirit of independence, now almost extinct, would have been preserved and cherished.[1]

The House, however, had no resource but to negative a proposal which would have given over to utter destitution all who failed to find employment at the rate fixed. It had evidently been greatly moved by the honourable member's appeal, and therefore eagerly adopted the principle of the Berkshire magistrates, and sanctioned the practice of aiding wages out of the poor funds.[2]

The greatest mischief followed this measure.[3] Each parish carried the allowance system into effect by whatever expedient seemed best to its executive. The commonest practice was that known as the "roundsman" system, whereby employers of labour were bribed out of the poor rates to give work to the applicants for relief. The result was that most of the ablebodied labour of the district was "on the rounds"; that is to say, individuals desiring employment went to work from one house to another *round* the parish. The labourers, in fact, were let out by the parish, and the farmers turned off employés simply in order to take them back on reduced wages. In many rural districts it was soon found that three-fourths of the rental was absorbed by the poor-rates. Every man who was known to be laying by funds for sickness or old age was refused work till his savings were absorbed. The food and lodging supplied to paupers were far superior to those earned by the labourer, and often better than those of the ratepayer himself.

quit the parish and retire to his own, or procure there a certificate. He applies, fails, and takes the vows of celibacy.—*Farmer's Letters*, pp. 300–303.

[1] *Eden on the State of the Poor*, bk. ii. ch. ii.

[2] Whitbread had the mortification of again seeing his proposal rejected in 1800.

[3] 36 Geo. III. c. 35: "The Speenhamland Act."

Then, too, by this same method every one assessed for the poor-rate was compelled to become an employer of work-people, and many were forced by straitened circumstances to discharge competent labourers in order to give employment to inefficient paupers. Dr. Cunningham cites an instance where there resided at Eastbourne both a pauper, in receipt of 16*s.* a week in wages, and an independent workman earning 12*s.*—a condition of affairs which led more than one woman to complain of the conduct of her husband in refusing to better his condition by becoming a pauper.[1]

But though the principle of bestowing as charity what was labour's due was mischievous and unjust, it put an end to actual want. It converted a starving labourer into a fairly nourished pauper; and to be beggared is preferable to dying of want.

The legislation of the last decade in the eighteenth century was not, however, wholly pernicious, for the statute of 35 George III. c. 101, by repealing so much of that of 13 & 14 C. II. c. 12, which authorised justices to order the removal of persons likely to become chargeable to parishes, and by providing that no poor persons should be banished from any parish until they had become actually chargeable, abolished the more tyrannous incidents of the practice of settlement. The peasant was, at any rate, no longer so much like a villein-regardant, although he was not as yet a free agent as regards his wages. His further emancipation was brought about in 1813 and 1814,[2] by the abolition of the wages assessments of quarter sessions, and in 1825, by the removal of the prohibitions against the combinations of workmen for raising the rate of wages.[3]

All this was the result of pressure brought to bear on public opinion by such men as Bentham, Romilly and Hume. As soon as it became recognised that the restrictions to which we have alluded were serving no good end, the employers of

[1] *The Growth of English Industry and Commerce in Modern Times*, p. 663.

[2] 53 Geo. III. c. 40; 54 Geo. III. c. 96.

[3] 4 & 5 Geo. IV. c. 95 and 97.

labour voluntarily ceded their ancient rights, and as soon as Hume's committee in 1824 had reported the results of the evidence laid before it to the House, and the eleven clauses of the Bill could be drafted, the measure was brought forward and passed without debate or opposition.

But some far more drastic remedy was essentially necessary in the case of the Poor Laws than that abolition of a few statutes which had been thus effectual in the Labour question. The working man as a working man had been freed, but the working man in his new guise of pauper still required emancipation. Nothing in the legislation already mentioned had prevented the spread of pauperism. Thus we find that the poor-rates which had increased from £600,000 at the beginning of the eighteenth century to £3,000,000 towards its end, rose in 1801 to £4,077,871, to £6,656,106 in 1812, to £7,870,801 in 1817, and then dropped slowly to £6,317,255 in 1834. This was out of all proportion to the increase in population; for at the accession of George I. in 1714 the poor rates averaged 3*s.* 3¼*d.* per head on the population of 5,750,000, while in 1834 they averaged 8*s.* 9½*d.* per head on the population of 14,372,000. It is possible that either East's[1] Act of 1815, or Sturgess Bourne's Act[2] of 1819, or both combined, may have assisted (though probably the restored peace had more to do with it) in helping forward the small but decided decrease in the rate which, as we have just shown, set in about 1818. But this was not to be compared with the marked effects of the Poor Law Amendment Act of 1834, which succeeded at the end of three years in reducing the expenditure to one-third of what it had been at the date when the Act came into force.

This statute was of a radical and drastic nature—more so, even, than the circumstances of the times required. It is

[1] 55 Geo. III. c. 137.

[2] 59 Geo. III. c. 12. These Acts merely confirmed the practice of the Speenhamland justices. The first empowered the magistrates to order relief for any length of time they thought fit; and the second, though it favoured the workhouse principle, allowed pauper labourers the same remedies for the recovery of their wages as those enjoyed by legitimate workpeople.

open to question whether as a remedy for one form of disease it did not create another. Its effects on the ratepayer as a ratepayer were wholly beneficial, but its effects on the ratepayer as a landlord or a farmer were disastrous. It was an interference with seignorial rights which not even the canons of advanced political economy would have sanctioned. Up to the enactment of the Poor Law Amendment Measure, the landlords and farmers had supplied and managed the funds for pauper relief. Henceforth they were made still to supply the funds which State-appointed officers dispensed. For all this, it would be we think erroneous to term such interference uncalled-for, because, as we have pointed out more than once, the administration of relief had been wretchedly transacted. McCulloch, however, takes an extreme view in his *Treatise on Political Economy*, and demonstrates how it was considered by Adam Smith the highest impertinence in kings and ministers to pretend to instruct private people how they may best employ their capital and industry—a pretension, he maintains, which was surpassed when the authors and abettors of the new Poor Law deprived the ratepayers of all control over their own affairs. Its primary object, however, was to benefit the labourer, and Rogers has described its action upon him as wholesome surgery and "the sharpest trial he had to bear."

The committee which sat in 1817 had opened the country's eyes to the mischief perpetrated by Pitt's Act of 1795, by showing that the cause which had been demoralising the labourers and ruining the ratepayer, was the indiscriminate bestowal of out-door relief initiated by the Speenhamland incident and legalised by Parliament. Had then the Act of William IV. simply repealed that of Pitt the same results would have been obtained without that strained relationship between employer and labourer which the Act of 1834 left behind. But it not only abolished the extravagant innovations of the former measure, it was intended to give the death-blow to every description of outdoor relief, and though subsequently it was found impracticable to carry this out to the letter, it so far effected its purpose, that it created in the

peasant's mind a strong sense that he had been robbed of an ancient right. To this day he believes that his claims on outdoor relief are senior to all statutory enactments, and that modified form of it which still exists is probably destined to assume an increased importance as soon as the institution of Parish Councils shall have given his class a voice in the matter.

But it was not only in these particular directions that the new law seriously affected the interests of the landowner and land-holder. We cannot wonder that King William's advisers adopted strong measures when grappling with the question of Poor Law Reform; but we are surprised to find what little opposition their proposals created in the Tory camp, and can only conclude that the Landed Interest was blind to the favourable influence which such a step would exercise on the other great question pending, viz., the repeal of the Corn Laws. The agitation of the Manchester school, the Anti-Corn-Law riots, and the Peterloo massacre, were a chain of alarming occurrences which warned the oligarchy that deeper mischief was brewing. The starving labourer, it might have been thought, would have resembled wax under the hands of those agitators whose object it was to mould him into a weapon of offence against the landed class.

But the effects of Pitt's Act on the rustic mind were decidedly soporific, and the parson was able to counteract from the Sunday pulpit all the mischief created in his parish during the week by the teaching of Manchester demagogues. A few more decades under a Poor-Law system which tended to obliterate all his sense of independence and responsibility might have rendered the peasant perfectly useless for the purposes of the agitator. Perhaps nothing short of the exaggerated rhetoric indulged in by mob orators after the affair of 1820 in St. Peter's Fields would have sufficiently aroused him out of that apathy into which Pitt's Act had plunged him. To the minds therefore of the Radical party one further inducement for abolishing the practice must have been its counteracting effect on their teaching. All these subtle influences of legislative practices on character were probably

undiscoverable at the time, and we cannot impute any great lack of perception to the Tories on this account, but surely they must have foreseen that the new Act, while it put an end to the pauperising of able-bodied labour, left the poor man totally unaided in his struggle to subsist on food artificially rendered scarce by State Protection. In 1834, there sprang into existence the Chartist propaganda. Ostensibly a political organisation, there lurked beneath its surface the same discontent of a starving people which wrought such fearful havoc on seignorial interests in France. Henceforth the Radicals had a formidable and terrible ally in their agitation against Protection, and as Rogers points out, this unwonted communistic attitude of English labour collapsed as soon as the repeal of the Corn Laws reduced the price of the necessaries of life.[1]

Our chief cause for dissatisfaction with the policy of the employers of work-people at this juncture, is their failure, while it was in their power, to unite the interests of labour with those of capital. The intelligence of the peasant a hundred years ago was so backward, that it was natural for the landlord and farmer to overlook the importance of such a policy; but at the same time we find that it was forced on their notice by those far-sighted individuals who, in response to an invitation from the Board of Agriculture, made known their views on this and every branch of rural economy.

Thus in the Agricultural Report of the Board for the West Riding of Yorkshire it was stated that the only method of making wages proportional to the rise or fall in the value of money and provisions, is to pay them in kind. In the part of the country where this writer resided nearly the whole of the farm servants were paid thus. They had a certain quantity of grain, maintenance for a cow summer and winter, a piece of ground for planting potatoes and raising flax upon, and whatever fuel they required, given gratis. These, with the privilege of keeping a pig and a few hens, enabled them to live and bring up their families in a comfortable manner; and while their income was considerably less than people of their station in other parts, they on the whole were better fed, better dressed,

[1] *Six Centuries of Work and Wages*, p. 440.

and better educated; so that in frugality, faithfulness and industry, they compared favourably with their brethren in the south. The writer of the Report for the county of Hereford corroborated this view, and stated "that if a certain proportion between the price of labour and the average price of wheat could be fixed by law, so as to render the applications for parochial relief necessary only in cases of very large families, of unusual sickness, of scanty seasons, or any other real emergency, the measure it is presumed would be honourable to the country, would stimulate industry and fidelity, check dishonesty, and endear to their native soil a numerous class of useful persons."

This principle of co-operation would have made an ally of the peasant instead of an antagonist, in the struggle over the Corn Laws. It would have kept him from a daily or weekly visit to the markets, where he would be likely to pick up dangerous doctrines from the stump orator, and spend money uselessly on the whims of the moment. The practice of having his employés on the premises, so that they slept and lodged in a portion of the farmhouse, brought them into such close contact with the husbandman that an identification of interests ensued. Instead of going to a public-house for his meals, the labourer lived a great deal more comfortably and cheaply under his master's roof, was always available when wanted, and lost no valuable time in going to and from his place of abode.

Where, however, as in Surrey and other southern counties, the labourer was hired by the day instead of the year, he was far more independent of the goodwill of his employer, less sober and provident, and constantly becoming reduced to that condition of want which rendered him a burden to his parish. At the period of harvest, while he was working by the acre, he was unusually flush of money, which tempted him to indulge in an improvidence which he must have bitterly rued during other periods of the year.

The rate of wages varied considerably in different districts and at different periods. During the last twenty years of the eighteenth century it had considerably increased, and the

following averages represent as nearly as possible the usual yearly wages exclusive of bed, board and washing in the house, as collated from the various Reports to the Board of Agriculture in 1794:—

| Men | Wages—Past. | | Present. | |
|---|---|---|---|---|
| Ploughman . . . . . | £10 to £16 | ... | £15 to £25 | per year. |
| Carter or waggoner . . | 8 to 15 | ... | 15 to 20 | „ |
| Bailiff or yardman . . | 8 to 14 | ... | 14 to 16 | „ |
| Boy . . . . . | 5 to 8 | ... | 8 to 12 | „ |
| Women. | | | | |
| Dairymaid . . . . . | 6 to 8 | ... | 10 to 14 | „ |
| Under dairymaid . . | 3 to 4 | ... | 5 to 7 | „ |

This considerable rise was probably wrung from the farmers as an equivalent for the abstracted rights of commonage, which occurred over the enclosure system, but was, as we have already shown, out of all proportion with that rapid rise in the prices of food which occurred at the same period. Since 1760 the labouring classes had lost about 4,000,000 acres of common which they had formerly the privilege of using for their pigs, geese, and other necessities. Besides the inadequacy of a money equivalent, the severance of this last hold on the soil was found to have a most pernicious effect on the temperament of the rural labourer. Thus, in 1827, a witness examined by a select committee of the House of Commons on emigration, stated: "I could load the committee with information as to the importance of the cottagers renting a portion of land with their cottages; it keeps them buoyant, and it keeps them industrious." Consequently where, as in the south of England, the labourers lived apart, each in his own cottage, instead of, as in the north, in the farmhouses, the garden became a special feature of their holdings.

The good effects of this economy drew a favourable comment from Cobbett in his "*Rural Rides*" of 1821. The Society for Bettering the Condition of the Poor urged the advantages of the allotment system in its annual reports; and earlier still, the Board of Agriculture, in the first year of the century, offered a gold medal to any one who should explain in the most satisfactory manner the best means of rendering the allotment system as general throughout the kingdom as circumstances

would admit.[1] Parliament took up the subject in 1819, and passed an Act empowering the parochial authorities "to purchase or take on lease any suitable portion of land, and to let such portion of land to any poor and industrious inhabitant of the parish, to be occupied and cultivated on his own account."

The Poor Law Commissioners in 1834, and Mr. Cowper in 1836, again drew public attention to the subject. Nothing much, however, seems to have come of all this. The General Enclosure Act of 1845 wrested from the labouring poor some 320,855 acres of unstinted common-rights, for which they were to have been compensated under the allotment system. The Royal Commission in 1868, however, brought to light that only 2,119 acres out of all this great area then enclosed, had been allotted to the cottager. The following rhyme aptly describes while it also condemns the results of our legislation at this particular time:—

> "A sin it is in man or woman,
> To steal a goose from off a common;
> But he doth sin without excuse,
> Who steals the common from the goose."

Yet the spoliation of the poor man was never more repugnant to the mind of the English landlord than during this period of history. Without the spur of recent legislation, squires were replacing the hovel by those picturesque and sanitary buildings which Mrs. Hemans has eulogised in graceful verse. No one would be prepared to contest an assertion once made by the present Lord Salisbury, that cottage building could not be regarded as a commercial investment, and that one-third of the cost represented the charity of the landlord.

The allotment system, however, has by no means proved a perfect substitute for the labourers' lost common rights, for, as we have shown in an earlier chapter, the farmer's man is not in a position to cultivate his field-garden just after he has performed a fair day's work for his employer. Far preferable is the old economy still practised here and there in the north,

[1] *The Land and the Labourers.* C. W. Stubbs, 1884.

where the labourer, though wholly employed on his master's farm, is at the same time kept "buoyant and industrious" by sharing in the profits of his toil. The allotment system is so far advantageous, that it gives the peasant an intelligent grasp of the economical questions surrounding the management of the soil. He has a personal interest in the market for agricultural produce, and this to a certain extent divides his particular wants from those of the town labourer. But the system of co-operation advocated by the West Riding and Herefordshire experts alluded to above, is preferable, because it identifies more thoroughly the interests of rural labour and capital, and militates against those mischievous strikes which have recently crippled the husbandmen of the Eastern counties at the most critical period of the year.

The allotment controversy is, however, one over which the last word has yet to be said; and it remains for the historian of the twentieth century to trace its various phases to their close in some provision as yet hidden in the womb of the future.

## CHAPTER XXIII.

### THE MORAL OF THIS NARRATIVE.

BEFORE we close this History it would be well to ascertain what bearing the past has on the knotty problems connected with the present situation, and, if possible, to adapt its teaching to the several requirements of those three classes which, as a whole, should compose one united Landed Interest.

And, first, let us study the position held by the over-lord after some eighteen centuries of economic changes. The fundamental fact, for which we have all along contended, is that he was first a magistrate, afterwards a landed proprietor. "The earth," urges Mill, "is the inheritance of the human race, and a large proportion of that race has been disinherited." Let us admit this theory and examine into the causes of the disinheriting process.

It hardly seems reasonable to suppose that a small minority of the genus man could have monopolised rights of proprietorship claimed by the entire community, without its sanction. Mill, we consider, was never so feeble of argument as when he contended that "mankind attempted to reconcile, at least in theory, to their sense of justice this monopolisation of the land, by attaching the duties to it of either a moral or legal magistracy."

In the first place, the *duties* of the magisterial office are completely swallowed up in its privileges, and when compelled, men surrender with the greatest reluctance the powers and pleasures of the judgment-seat. In the second place, as connected with the landlord, judicial rights were long antecedent to proprietary, and the people purchased their freedom from him by exchanging for it their title to the soil.

This defect in Mill's premisses cannot but defeat his conclusion. "But if," he sums up, "the State is at liberty to treat the possessors of land as public functionaries, it is only going a step further to say that it is at liberty to discard them."

What becomes of such a theory if the magisterial powers attached to the manor take precedence, as regards antiquity, over those attached to the State? The *patria potestas* of the family system was ceded to the *primus inter pares*; the powers of the latter were, in their turn, relegated to the oligarchy, and passed on by this species of State Government to the monarchy. History, in fact, tends to prove that there was a gradual blending together, not a sub-division of magisterial rights, a centralising instead of a decentralising process, though the monopolisation of all government by one individual was never suffered for long. Those magisterial powers therefore which remain to the landlord after his surrender of the greater portion in exchange for the rights of landownership, cannot in justice be abstracted by the State, on the plea advanced by Mill. Whether the State was the original donor of these rights, or whether they were arbitrarily abstracted from the *primus inter pares*, does not however matter, for by the first principles of private property, admitted even by Mill, long enjoyment creates a prescriptive right to ownership.

Notwithstanding this, as the century draws to its close, we witness the landlord gradually divested of his few remaining rights of sac and soc, until the question cannot but arise, whether, as in the case of the ecclesiastical landlord at the Reformation, the great lay-landowner will ever be considered by a majority of his countrymen as an anachronism? What will be his future at the close of another century? No one can foretell how long the hereditary right of the Peer to legislate, which owes its origin to the ancient claim of the tenant *in capite* to a seat in the *Curia Regis*, will be suffered to remain. The political supremacy of the landlord was wrested from him by the Reform Bills. Most of his powers over the peasant went early in this century. The last traces of his administrative rights are vested in the justices of the peace; a property qualification being still supposed to limit the candi-

dature for the County Bench. These rights were encroached upon by the late Local Government Act, and now his judicial powers over the causes between master and servant, poaching cases, disputes about footpaths, licensing, and the appointment of overseers of the poor, all survivals of the mediæval labour and poor laws, are menaced with extinction, by an attempt to divest the lords-lieutenant of their prerogative of selection. Are we soon then to witness his final extinction—an inevitable occurrence, if only our legislators proceed much further with their present policy? Whenever an institution or a class ceases to fulfil the duties and obligations which called it into existence, by all means let it be abolished. But when have our English country gentlemen been thus weighed in the balances and found wanting? Have they, like the monastic landlords, drained their estates of public riches for the sake of aggrandising a foreign despot, or, like those of Ireland, squandered their incomes on the pleasures and luxuries of a town life over the seas? It is but recently that a magnanimous but hostile critic has favourably contrasted their expenditure with that of the fundholder, describing the charges with which custom, tradition, and the law have saddled the former as at least twice, and often ten times as great as those which press on the latter, enumerating the many arduous duties which are the hereditary obligation of every great landlord, and emphasizing the good nature which not infrequently allows his mansion-house to be converted into a county museum, and his park into a public pleasure ground.[1]

Considerably lessened as the landlord's income has become, the retention of his present status is not so much a pecuniary as a social consideration. Were his rents to drop ever so low his position would not be nearly so much damaged as if his remaining privileges were to be withdrawn. Mill said truly, that landed property was different from all other kinds of property, but it is not so in the sense that he intended. Take away from the land all the glamour that surrounded its original owners, and you place it on all-fours with personal property. What

[1] *Review of Reviews*; "The Wasted Wealth of King Demos." W. T. Stead, Aug. 1893.

capitalist would prefer the responsibilities and uncertainties of an income in rents to that obtained out of the funds or railways, were it not for the superior social powers enjoyed by the former? These are now more imaginary than real, being retained merely by the force of tradition and destined to fade away entirely as time obliterates the memories of the past.

Many schemes are before the public for what is called the "nationalisation of the land." They are based on Mill's principle, that the land itself is national property, but that the profits of its improved condition, up to a certain limit, belong to private persons. Even Mr. George and Dr. Wallace recognise the claims of the landlord to compensation before they can abolish him, and as long as that recognition remains there is no danger of an upset of the present proprietary system from such a quarter. For when we come to let in, on the subject of landlord's profits, the light of history, we shall at once see that the rental of the entire soil does not represent one hundredth part of the proper interest derivable from the capital from time to time invested in it.

People are inclined to forget that circumstances occur which entirely alter the nature of rents. Thus, when they were services or incidents of tenure issuing out of the land, they required a very different legal definition from that of rents reserved by a modern lease.[1] Doubly is this so when we come to consider the economical meaning of the term.

In the days of Smith it was supposed that rent was the residuum owing to the landlord after the costs of production, including the ordinary rates of profit, had been deducted by the tenant. Owing to the possession of what was said to be a monopoly, the owner of landed property could, by means of the competition of applicants, not only always let his farms at a rent, but command this residuum, however much it might be magnified by inventions or State encouragement. This solution of the term, together with the supposition that rents affected prices, consequently the interests of the consumer, left the position of the landlord, in his relationship to society,

[1] *Vide* Chancellor *v.* Webster, tried before Mr. Justice Webster at the Guildhall, July, 1893.

quite untenable. But not so if the contention of modern economists be valid. Even Ricardo admitted that the rent which paid for the equipment and improvement of the land is part of the cost of production. What if it could now be proved that rents entirely represent the income, such as it is, derived from capital sunk in the soil? Unfortunately for the landlords evidence on this head is not very easily obtained. Most capitalists dislike to publish abroad their income and expenditure. Many landed proprietors have not preserved sufficient data for such a purpose. But the present Earl of Leicester, with exemplary public spirit, has shown us that his income now amounts to barely 2 per cent. on a capital of £1,095,000 expended by himself and his predecessor on the Holkham Estate.[1] Perhaps it is as well for the farmers and labourers that such evidences as these are not as yet very plentiful. Very probably if other landlords were to search the archives of the estate office for similar records they would realise that they would be considerably more affluent if they allowed the margin of cultivation to contract, and desisted from their efforts to make the inferior soils on their estates profitable. Be this as it may, which should Lord Leicester's income be called, rent or profit? Such a question as this Mill sought to solve by differentiating the capital sunk by the landlord in the soil under two headings, viz., that requiring periodical renewal, the returns from which he recognized as *profits*, and that spent once for all, the returns from which he contended were *rent*.[2] This distinction underlies, no doubt, the fundamental policy of the Settled-Land Acts. Capital sunk once and for all in the land becomes *realty*, and is therefore part of the settled estates; whereas, capital expended in temporary advantages must be found out of the *personalty* of the tenant-for-life. But this apparent corroboration of Mill's distinction between rents and profits is due merely to the accident that permanent improvements (viz., capital sunk in the land once and for all) are likely to benefit the remainder-

[1] *Vide* the Speech of the Right Hon. H. Chaplin at the National Agricultural Conference held in London at the beginning of 1893.

[2] *Principles of Political Economy*, vol. i. bk. ii. ch. xvi. p. 505.

man, while temporary improvements, the fruits of which, as often as not, cease altogether after a time, are supposedly carried out in the interests of the tenant-for-life. But the returns from the landlord's outlay, whether expended on permanent or temporary improvements of the land, are surely interest on his capital. They may be called rents, just as the French designate the interest on their Government Stock rent; but call them either rents or interest, they are the profits of improving the soil—in other words, of increasing the rate of production—and they are therefore a large item in the cost of production.

How far then may the soil now-a-days be called the landlord's manufacturing plant, and his rents the profits of a commercial undertaking. The Duke of Argyll would call them wholly so, and even Professor Marshall has gone so far as to admit that the soil in a new country resembles manufacturing plant, and in an old one is "often as much an artificial product as those pieces of earth which have been arranged into brick walls." But the latter economist also maintains that "the soil receives an income of heat and light, of rain and air; and, in urban land, of advantages of situation, all of which are independent of man's efforts. Consequently he adheres to the old distinction made by him in his Principles of Economics, between producers' profits which are true rents and those which are quasi-rents.[1] No one, however, will deny that the landlord helps to earn his livelihood in rents, by sharing largely in the costs of production; if so, he has as much right to the protection of the community as the tenant. His expenditure of capital adds to the productive powers of the soil just as much as, probably more than, the skill of the farmer, or the industry of the labourer. Loosen his fixity of tenure, or lessen his profits, and you will decrease his outlay in agricultural improvements or frighten his capital entirely off the land.

Was Adam Smith then, right after all, when he argued that prices are dependent on rents? Before we can either say yes

[1] Compare *Unseen Foundations of Society*, Duke of Argyll, and *The Economic Review*, "On Rent." A. Marshall, March, 1893.

or no to this we must reflect a little, so as to decide in what fresh light we shall have to regard the landlord in his relationship with the community, supposing the latest economic rendering of his profits be correct. As a partaker in the processes of agricultural production he is virtually a farmer. To this there is Professor Marshall's objection that his income does not directly suffer like that of the farmer from murrain, or bad harvests. Literally, no doubt, this is true, but indirectly and irregularly the landlord's interests are affected whenever a loss of producer's profits interferes with the proper cultivation of the soil, even though rents do not actually fall into arrears. Landlord and tenant, therefore, compose a joint-stock company, the proceeds of which they apportion between themselves. The landlord, who is, so to speak, the sleeping partner in the business, leaves his tenant to do all the work, but risks considerably more capital in the undertaking. In some respects this view of the term rents, reminds one of the relationship between landlord and farmer under the metayer system. In their aspect to the rest of the community the interests of the landlord and his tenant are inseparable, though in their aspect to each other they are antagonistic. It is the tenant's object to obtain as much of the profits of production as he possibly can, it is the landlord's to defeat this purpose, and therefore it can only have been through an amicable understanding and mutual forbearance that the two interests have hitherto maintained their close intimacy. But any benefit that either the one or the other can wring from the community must be advantageous to both. Having once brought their prey home they can wrangle over it to their hearts' content; that, however, is no concern of the outside public, being one of those domestic disputes best settled in private.

How very small then now-a-days must be the influence of rents on prices. It is presumed that nobody will dispute the landlord's claim to the ordinary rate of profit on his expenditure, or grudge the farmer his right to make a livelihood out of the soil. But in these times the market prices are too low to provide for these two necessities, so it surely follows that, owing to the large excess of foreign produce in the home

markets, the consumer's interests are entirely unaffected by either landlord's rents or farmers' profits. Were it otherwise, the old controversy, as to whether the land taxation and tithe fell upon the producer or consumer, would again arise; but unfortunately, after what we have now said, there is very little doubt that they are derived entirely from the producer's profits.

We have now merely to decide whether this dual control of the soil is best. The alternative, of course, is the division of landed estates into the small agricultural freeholds of the yeoman; and here we must refer our readers to a former chapter,[1] in which were discussed the advantages and disadvantages of small and large farms and landed proprietorship. We must recall to mind that the precedents afforded by those countries which have had recourse to a greater sub-division of proprietary rights, with the possible exception of America, have not been favourable to an imitation of the process in this country.

The American farmer pays no rent, but, as Mr. William Maitland has recently shown, he pays something far worse in interest on his mortgage. In many a bad season he would have willingly surrendered his superior freedom had he possessed a squire to share his losses with him. There are no percentage returns to be extracted from the mortgage landlord, and if the yearly interest is not ready when demanded the farmer's only resource is to pay it by means of raising a further loan at a still greater rate of interest.

Farming on borrowed capital is, however, hardly worse than the system whereby landlords are reduced to the same agency for improving their estates. This brings up once more the tendency of the Family Settlement System to interfere with permanent improvements. Our history here, too, has a word to say in the matter. Going back to the patriarchal era we find that the unit of society was the family, and that owners of property, both personal and real, were collections of individuals united together by blood relationship. In such times

[1] *Vide* Chapter VII. The *Landed Interest* in its relationship with the community. *History of the English Landed Interest*, Part II.

bequest was seldom recognised, and inheritance implied that all those who shared in the pleasures and responsibilities of ownership should continue to do so on the decease of one or more of their original number. The substitution of the individual, however, for the feudal family made a considerable difference in the grounds on which the disposal of property by inheritance should rest. Where there are children of some proprietor who has died intestate, the State has been induced to favour their claims of inheritance on the supposition that they are more likely than others to have been preferred by the deceased; but where there are no heirs, either in the descending or ascending line, the property, in the case of intestacy, escheats to the feudal superior, that is, speaking generally, the Crown. On the institution of a feudal polity, where the seignorial rights involved military service, the eldest son, as being most likely to fulfil his deceased father's duties, became the recognised heir in cases of intestacy. The State, however, has always made a distinction between the bequest and the inheritance. A man during his lifetime may arrange to leave what he possesses to whom he pleases, but failing any such provision, the State is the proper authority to decide who shall inherit the vacated ownership. Mill claims as a right of proprietorship full freedom of bequest, but not of inheritance. But he cleverly makes a point of this contention against State interference with the freedom of bequest to justify the very reverse. The right of bequest is so essentially an attribute of property that the question arises whether the ownership of a thing can be looked upon as complete without it, and this view of the case raises the further and more important question, whether the rights of present ownership, when they interfere with those of future ownership, ought not to be curtailed. Thus, for example, whether by an unlimited use of the power of bequest it is lawful for a proprietor to deprive his successor of the same power.

Utilitarianism was, however, in Mill's mind when he thus sought an excuse for the State to interfere with the rights of the proprietor to tie up his lands. He noticed that in the southern counties, where there were no leases, most improve-

ments had to be done, if done at all, by the borrowed capital of the landlord; and, therefore, the agriculture failed in comparison with that carried out in the north by the capital of the farmer. The State, however, has, as we have shown in another chapter, avoided interference with this undoubted right of private ownership by contriving every device imaginable in order to remove the evils rather than the custom of the Family Settlement. Let us quote an authority on the subject, in evidence of its success:[1]—

"The Settled Land Acts have finally released land from the fetters in which it was formerly bound. A tenant-for-life, so far as the points which affect the public interest are concerned, now stands in exactly the same position as an absolute owner. Practically, he can sell everything which the public will buy, for the restrictions which still affect the family mansion and lands usually occupied therewith, have little bearing upon the public interest in the free alienation of land; though I see no reason why the facility for their sale should not be further increased.

"But, as the general result of the Acts, we may say that there is no land[2] in the kingdom which any one wishes to buy which cannot be bought and sold without the least difficulty, and the allegations which are always found to proceed from persons having no practical acquaintance with the subject, that sales and purchases of land are restrained by reason of the difficulties attendant on the transfer of land, are without foundation."

What more then can our modern land reformer want? If the principle of the unearned increment is to be adopted, if, under the system of Betterment, the State is to claim a profit, surely it is logical that the principle should apply when the situation is reversed? If, when a private owner is so lucky as to stumble upon hidden sources of wealth in his property, the State can claim its share in the discovery, surely it cannot object to

[1] Address at Norwich, by Mr. Richard Pennington, to the Incorp. Law Society, 1892.

[2] Estates settled by Act of Parliament, such as Strathfieldsaye, Blenheim, etc., only excepted.

render compensation when the property of the private individual, from no fault of his own, becomes deteriorated? The Betterment principle implies, if we may coin the expression, that of the "Worsement." Once let the justice of this contention be admitted and the impracticability and absurdity of the whole scheme deals it a death blow.

But there is another and more intelligible phase of the Betterment principle, which is at the present moment a burning question in London. A neighbourhood is improved by the Municipal authorities, streets are widened, lighted at night, and better paved, whereby the value of the house property is enhanced. It is quite clear that the ground landlord, whose leases vary in length from 99 to 999 years, does not benefit by the outlay, nor does the leaseholder improve his income until he pulls down and rebuilds with finer houses that portion of the street belonging to him. Ought he then, for the better rents thus derived, to contribute his share towards the expenditure of the Municipal authorities, without which it would have been useless for him to improve his property? He answers that he does so in the shape of increased rates, and that if he is to be charged a further sum still, it is one of those imposts on capital which is admitted to be a discouragement of thrift. But then, in these days the strong dislike of earlier financiers to derive fiscal advantages by taxing capital has vanished, and we see in the death duties, an expedient recommended by Adam Smith and adopted by North in 1796, a far more important attack on thrift than that objected to by the victim of the Betterment doctrine. In fact, in our humble estimation, the death duties, when derived from landed property, are just so much valuable capital extracted out of the soil by the State.

It is, however, an open secret that the Radicals are increasingly dissatisfied with the apparent partiality displayed by the Treasury for the landlords over the imposition of these taxes. Mr. Gladstone's Act of 1853 merely whetted their appetites, and they now crave for some measure which would not only place the succession duty on all fours with the legacy duty, but bring landed property under the influence of the probate

duty. The bare suggestion of such a proposal by a responsible Minister of the Crown would be sufficient to lower the market value of realty, whilst a Law, enforcing these ends, would inevitably drive part of the English soil out of cultivation and reintroduce the miserable economy of the Lord's Waste.

The seignorial proprietorship to minerals has recently been on its trial. It may have occurred strange to many thoughtful minds that, notwithstanding the strict laws hedging around the position of the tenant-for-life, he is enabled to dispose, so to speak, of a portion of the fabric by treating the profits of his mines as though they were those of produce periodically renewable. A very serious crisis must arise on each mineral estate when its wealth below-ground has become exhausted. It is not difficult to find a property so heavily encumbered with mortgages and other charges that it would be impossible for it to support its owner were it not for the annual proceeds of its mining royalties. How will improvements to the surface be possible when the incomes of such landlords from these sources cease? It would seem more compatible with the policy which prohibits "waste," had the landlord's profits of mining been considered a portion of his settled capital, and invested accordingly. It is now, however, too late in English manorial history to open up this question, and the attacks from without have not been concerned with this phase of mineral ownership. But the advanced Radical school want to see all mining royalties vested in the State, as they were in France in 1810, and in Germany in 1865. The dispute has just been argued out on equitable lines; for the Royal Commission elected by the Government of Lord Salisbury in 1891 put the problem to a perfectly legitimate test when it asked, Are mining royalties detrimental to public interests? The evidence supplied afforded a no uncertain reply in the negative. "We are of opinion," say the Commissioners in conclusion, "that the system of royalties has not interfered with the general development of the mineral resources of the United Kingdom, or with the export trade in coal with foreign countries." Surely after the

verdict of so impartial a tribunal, this danger to seignorial interests is past![1]

But to return to the subject of the Land Laws. We have said quite enough to show that the abolition, either of the custom of primogeniture or of the law of entails, would not tend to nationalise the land more than the Settled Land and Conveyancing Acts have done already. As soon as the landowner becomes entirely divested of his ancient rights of lordship, he will voluntarily avoid the law of intestacy and cease from the practice of entailing. His preference for realty over personalty will have vanished, and he will be anxious to exchange the one for the other. It is possible, therefore, that another century will witness the replacement of the great landowner, and wheat husbandry in the English rural economy by the small freeholder, and vegetable cultivation. But where in such a case shall we look for a substitute of that aristocracy of the soil, which it is part and parcel of the Englishman's idiosyncrasy to venerate?

Possibly that old class definition of Regnault's, that our upper classes are an aristocracy of position, our middle classes of imitation, and our lower classes of servility no longer applies,[2] but we still maintain that the government of England, though nominally a monarchy, is virtually an aristocracy; and that the democracy which the same writer quoted above, declared to be "despised by the Tories, feared by the Whigs, courted by the Rads, and misunderstood by the people," could never serve as a fitting substitute. So far, therefore, reforms have but fortified the aristocratic principle,[3] and the next question arises as to whether the patricians of the future may not be found among the descendants of those merchant princes who have by their energy and good faith largely aided in building up this great Anglo-Saxon empire. Are then the peer and the

[1] *Royal Commission on Mining Royalties*, Final Report, p. 79. Par. 389, cl. ii. 1893.

[2] *Preface to a Translation of Bentham's Catechism*, by Elias Regnault. Paris, 1839.

[3] *Popular Almanack of France for* 1844, *sub voc.* "France and England." M. Sarraus, junior.

baronet destined to make room for the manufacturer and the trader? Will precedence of rank be some day decided by the antiquity of commercial houses, and will the heraldry of the future be based on the distinguishing signs of ancient crafts and mysteries?

But even while we discuss the probabilities of this oligarchy of the middle classes, there comes an ominous murmur from the ranks of the democracy, which in the words of one of its spokesmen, objects "to leap out of the frying pan of feudalism into the fire of capitalism." The organisers of the "Free-Trade-in-Land League," contend that up to the date of the abolition of feudal tenures at the Restoration, "the landlords were never allowed to forget that they were mere land trustees and State tenants, liable to eviction at any moment for the non-payment of rent."[1] Such as these wish to place back the hands of Time's clock to that particular period, but not, however, so as to allow an unbridled commercialism to intercept the spoil that they thus hope to appropriate. If, therefore, the merchants and the farmers do not wish to behold the reins of government dropping into the hands of an ignorant democracy, it behoves them to heal their differences at once with the landlords and each other, and to oppose a solid front to this new danger.

Ignorance like fear is both cruel and unjust, and the knell of British greatness will have sounded when our Constitution lies at the mercy of the Proletariat. It may be a moot question whether political power should be subject to either an hereditary or plutocratic monopoly, but there is no sense in bestowing it upon every individual merely because he has attained the responsibilities of manhood. There must be a large majority of politicians who would prefer to see some education test applied to all aspirants for political power. To such the recent extension of the franchise to the rural labourer, and its proposed extension to every male adult, must surely appear a greater danger to our nation than would be even the abolition of both monarchy and House of Peers. Is it not therefore

[1] *Politics for the People*, 1st series. J. M. Davidson.

strange that amidst all the conflicting politics of the present day there has arisen no party which advocates the establishment of the aristocracy of intellect? England, said Theodore Parker, is the paradise of the rich, the purgatory of the wise, and the hell of the poor. The elevation of the second-named to the position of the first, is surely the best means of releasing the last from their occasionally unbearable surroundings—for it is only because a large portion of the rich are also wise that the poor have been relieved of much that once made the above definition of their social status possible.

When we turn from landownership to land tenure, we realise that the pecuniary question is no secondary consideration. Out of his profits the farmer must find, besides rates and taxes, the livelihood of himself, his landlord, the titheowner, and the labourer. In order to perform this difficult task, he must not only fulfil the conditions laid down for him by Caird, and keep the land dry, clean and rich, but he must advance the capacities of production to the highest limit of perfection. Anything that tends to restrict him in this purpose is highly inimical to every interest connected with the land, and our History has been one prolonged record of the changes in laws, customs and practice, necessitated from time to time by the advance of the agricultural pioneer.

We may therefore now reasonably ask whether all has yet been done that should be in this direction, and whether, under the circumstances of climate and position, our English farming has reached that stage of excellence beyond which it would be impossible to carry it.

At the period of history, when we have decided to close this narrative, Caird was still advocating improvements in our machinery, feeding stuffs, manures, mechanical operations, and livestock, and at this very moment, the eve of a fresh century, there is no man who would dare to assert that there is no space for further advances.

Now in the practice and industry of the British husbandman himself there is but small occasion for fault-finding. Speaking comparatively, his method is far beyond anything attained in foreign climates; but still speaking comparatively, its disastrous

failure at the present date also exceeds anything of the sort experienced abroad.

Modern invention and free trade have combined to place at our doors the produce of the entire world. The excessive freightage rates charged by our home railway companies bestow indirectly a bounty on imported agricultural produce, and impede free trade in the home markets almost as effectually as the mediæval law against forestalling and regrating did. The electric telegraph and steam navigation, by lifting the home market beyond the disturbing influences of the home supplies, have accentuated the drawbacks of our fickle climate. The old days, when every soul in the kingdom, and a good many foreign consumers besides, found their means of subsistence out of the fruits of English husbandry, have given place to a period when the whole of this country's agricultural produce would scarcely suffice to supply the food requirements of one-fourth of the present population.

The native husbandman is not now, as formerly, compensated for the diminished produce of a bad season by the increased prices of a starved market. When therefore we behold the inferiority of our native productions, as they lie in the markets side by side with those grown under sunnier skies, we are inclined to attribute half the blame for our apparent failure to the drawbacks of our English climate. Heavily weighted as the home producer undoubtedly is by this natural defect, he is still further handicapped by the taxation, levied and sustainable in the days of the Corn Laws, but utterly unbearable as soon as foreign competition was freely permitted. Indeed, the original basis of our fiscal system presupposed the entire monopoly of the home markets by the native producer. The English physiocrats had argued that as out of this soil of ours proceeds all our national wealth, out of it, therefore, must also eventually be derived all our national revenues. As a kindness to the producer himself, therefore, the more direct was the taxation, the less was his expenditure over its collection. Flimsy though this theoretical fabrication ever has been, it cannot exist at all in a country whose markets are literally glutted with foreign produce.

The only source for the support of a community's poor, the propagation of its religion, and the defence of its interests, is its wealth, and when that is derived entirely from native soil, there is reason in calling upon its Landed Interest to perform the whole of these duties. But when the nation's wealth is derived from the soils of all the countries in the world, it is surely the grossest injustice to saddle its own individual landowners and holders with a burden that should be evenly distributed amongst the possessors of realty in every contributing country. Such an argument does not necessarily imply a return to Protection; rather, it demands that land as regards tithe, poor rate, and land tax should be placed on a level with personal property.

We have said that, so far as the husbandman himself can effect it, his practice requires little amendment, but owing partly to the shortcomings of the legislature, partly to those of the agricultural chemist, he has annually to lay out a large proportion of his spare cash in buying from abroad the fertilising agents which are allowed to run to waste at home. Until the sewage problem has been satisfactorily solved on a scientific and remunerative basis, the community is partially responsible for the present deadlock. Science has done much for husbandry, but more is still required of it. We want chemical analysts distributed over the whole face of the land. When an average farmer runs short of good farmyard muck, he tells his neighbours at the market-ordinary that he is going to buy "some of that there bag manure." He is thereby, if he only knew it, subjecting his spare cash to the same risks as if he were about to expend it under those proverbial conditions of uncertainty which surround the purchase of "a pig in a poke." He lacks as a mentor some chemical expert who should be constantly at his elbow, to teach him discrimination between expensive ammoniacal compounds and cheap lime or phosphatic ingredients. His bag manure may increase the yield of his crop, but not probably as economically as it would have done had he been advised as to the proper proportions of the materials which it ought to have contained.

Want of capital is at the bottom of a great many difficulties in the present economy. First, a farmer's credit begins to diminish, then his manure and labour supply, lastly, his produce. His income grows smaller and smaller every year, and he falls heavily into debt. The mischief spreads, for wages become reduced; the labourer goes on the credit system, and a few bad debts reduce the miller's profits, who thereupon raises his price of flour. At the present moment in Suffolk wheat is selling per coombe of 18 stones at 14*s.*, from which is yielded 14 stones of flour, worth 22*s.* 2*d.*, and the offal worth 4*s.* Neither the miller nor the baker are making fortunes, so what becomes of the 12*s.* 2*d.* difference? Shall we on this account advocate the renewal of the assize of bread? Again, our History proves useful; reminding us that even when all the labour and sumptuary laws were in existence the same difficulties were experienced with the middleman. Moreover, even as we write, there comes from Marseilles, where a similar statute is still in force, a vehement protest against such a state of things. There the millers and bakers are aroused to such resistance that a bread famine is threatened. If once we began to resuscitate this ancient economy, there would be no telling where we should stop, for in order to put down a combination like that threatened in Marseilles, we should have to revive the old arbitrary measures against Trade Unionism. In this country the origin of such a difficulty springs from the straits to which want of capital has reduced the entire landed interest. The landlord is too poor to effect permanent improvements, the farmer too poor to give adequate wages, and the labourer too poor to pay his flour and bread bill. The miller and baker make up for bad debts by absorbing the difference between the retail and wholesale prices of bread; and exactly the same process is at work in the meat market.

The moral of this phase of our problem is, for the farmer to avoid the error of supposing that his duties are at an end when he has marketed his produce. He would do well to retain control over it until he has, as far as possible, seen it into the consumer's mouth. The extension of such institutions as

The Farmer's Produce Supply Association is therefore to be encouraged.

So far every remedy suggested is one that commends itself to all the three classes connected with the land. Unfortunately the farming section, in their despair, have already begun to drift apart from their original and natural allies, and to formulate a policy for themselves. This is only one step onward in that ruinous course, the disasters of which our History has often rendered patent. The physicist tells us that on occasions the force of cohesion can be overpowered by that of adhesion, and this agency of disintegration has always been employed by the enemies of the landed interest whenever they meant to do it some mischief. Instead of the farmer forming a connecting link between the capitalist-landlord and wage-earning labourer, he has been forced into an isolated position antagonistic to both.

As soon as the traditional policy of the protector and protected became weakened, a re-approachment of interests should have been fostered by the fresh economy of the co-operative system, in which the farmer becomes an obvious rallying point wherever the interests either of labour or capital are menaced with interference from without.

The joint stock principle was a feature of the feudal polity, and it only died out in this country when the earlier husbandmen acquired proprietary rights over their tenancies. It has never died out in France, but exists under the metayer system up to the present day.

Rent is, or should be, the overplus of the farmer's profits payable to the landlord after he has repaid himself the costs of cultivation, livelihood, and usual business interest on the capital employed. To rate this sum according to the area of land tenanted is not therefore logical. Rather should it have some relationship to the market prices of its produce. The metayer system fixes the landlord's remuneration at half the annual profits of the tenant. In this economy the proprietor of the land takes the former's place as capitalist, and the latter becomes the labourer. Both parties would seem to have a strong incentive to develop to the utmost the profits of their com-

bined undertaking, but on closer scrutiny this is not so. The landlord stakes his capital on the ingenuity and industry of his tenant, and in the event of failure, has to make good the deficiency. The farmer, whom we have shown to have been chary of laying out capital when a tenth of his increased profits could be claimed by the titheowner, would be much more so, when one-half is thus absorbed by the landlord. We need not therefore be surprised to learn that history records nothing but failure whenever it affords us glimpses of the metayer system.

For these reasons this economy has never found favour in England, but the principle of lowering the rent with the decrease of the occupier's ability to pay, and raising it when the reverse circumstance occurs, has been attempted again and again. In the days when Mr. Bacon wrote his *Treatise on Norfolk Agriculture*, the fate of the Corn Laws trembled in the balance, and in the uncertainty thus generated in the minds of corn husbandmen, a sliding-scale rent was being advocated. More than one English landlord then introduced, and now maintains, on his estate a partly fixed, partly variable rent, which fluctuates according to the prices of the corn markets.

Such a policy, if extended so as to embrace a co-operative system of labour remuneration, would put a stop to that miserable condition of affairs which allows any agitator from the days of Ket to those of Arch to separate, and then dictate to, the three classes connected with the soil. At present a hostile group of farmers has adopted the programme of the three F.'s, demanding the free sale of improvements, Land Courts for adjusting fair rents, and increased fixity of tenure. A second and more formidable combination has been formed out of the ranks of labour. Harvest strikes are likely to become as frequent as were incendiary fires during the earlier portion of the century. The ploughman and the herd are constantly glutted with the food of discontent by the agency of the Radical van. The squire, the parson, and the farmer have come to be regarded as oppressors instead of protectors, and the old policy of *divide et impera* is being practised with as

much success by the Labour candidate of to-day, as it was by the Manchester school some fifty years ago.

In discussing the circumstances of the third and more numerous party connected with the soil, it behoves us to speak gently, even tenderly of its efforts to remain independent. The labourer is, so to speak, but a day's work in advance of want, his cottage door but a short distance off that of the workhouse, his powers to keep off the wolf solely dependent on health and good conduct. We cannot therefore blame him if, in his uneducated intelligence, he catches at any straw which may save him from sinking in this struggle for existence.

It may, however, be permitted for us to wonder whether he has not bought his present complete independence somewhat too dearly, whether as a class he would not be more uniformly comfortable were he less a free agent than he has now become. "Independence," says Sir Frederick Eden, "affords the Free-will, which enables a man to sink into degradation or rise to opulence." As compared with its reverse (to which we need not attach a specific name), this same writer applies Dr. Johnson's contrast between marriage and celibacy, "the one as consisting of many pains, the other of no pleasures." A friend of Eden's once told him that where, as in Arabia, every one who was not a master was a slave, the relationship between the two classes was more cordial and less subject to perpetual wrangling than where services are bought and sold with money. No right-minded person wishes, however, to see the servitude of the *Jus Feudale* re-established; much less would he desire to convert the rural labourer into the abject creature which the Speenhamland Act made him. But is there no method of combining the cordial relationship of a servile economy with the independence enjoyed by the free-agent? We think there is, and even in preference to a sliding-scale system of wages, would rejoice as much for the labourer's own sake as for that of the whole Landed Interest, to see a return to those times when, lodged in the house of his employer, the two worked, eat, and slept in close proximity. We would greatly amend, if not entirely repeal the Truck Acts, of 1831 and 1887. We would abolish once more the fixed weekly

payments, substituting for the Saturday night's wages, a proportion partly in kind, partly in specie of the farmer's profits. We would replace the voluntary club system by some national scheme of compulsory insurance against the wants of sickness and old age, and we would divert the magnificent but irregular charities of the rich into some great central organisation, which would relieve the distresses while it did not degrade the character of the impotent poor.

By the union of the interests of the national wage-earner, under a system of profit-sharing, with those of the national wage-payer, the statesman would be able to concentrate his undivided attention on some mutual scheme of defence against the encroachments of the foreign producer. Internecine war would cease between the capitalists of commerce and those of land. The artizan and labourer would no longer band together against the manufacturer and the farmer; and since every consumer in the kingdom must then perforce belong to one or other of these united interests, the difficulties between buyer and seller would soon become amicably adjusted.

This is not a purely agricultural question, for the same disputes crop up in commercial circles. In their struggle with the landlords we have shown how the plutocracy had called in the aid of the proletariat. We have hinted that before even that struggle is over, the proletariat, like the Angles and Jutes, are beginning to turn and rend their quondam allies. War has been described as the last resort of kings, and strikes occupy much the same position in the counsels of the artizan. Any one who has read this History, and has learned how the wage-earners were left to starve in times of plenty, would scarcely wish to cancel their newly acquired powers of combination. But the whole community must regard a strike as it would war, viz., the dire necessity of desperate men. Cannot, therefore, the former, like the latter, be at any rate occasionally avoided? Is there no impartial tribunal, to the arbitrament of which the disputes between capital and labour could be safely referred, or must we continually witness the arts of peace paralysed, the interests of both sides shattered permanent losses in the national income sustained, and future

relationship embittered before one side or the other is brought to its knees by the ruinous consequences of such bloodless warfare?

As we write these words the daily papers are full of Lord Winchelsea's scheme for agricultural union. In many respects it may be faulty and impracticable, but for the sake of the end that he has in view, we heartily wish him "God speed."

In the old-fashioned romance the closing scene generally included a wedding. In this prosier narrative of facts, let us as a fitting finis imagine that in the efforts of the above-named hereditary[1] friend of the poor man, we already hear the joy bells of the marriage between agricultural capital and labour; a union, it is to be hoped, almost as loving and lasting as that which knits together man and maid.

[1] I call Lord Winchelsea the *hereditary* friend of the poor because his name, or rather that of an ancestor of his, occurs in the Reports of the Society for Bettering the Poor, at the end of the last century.

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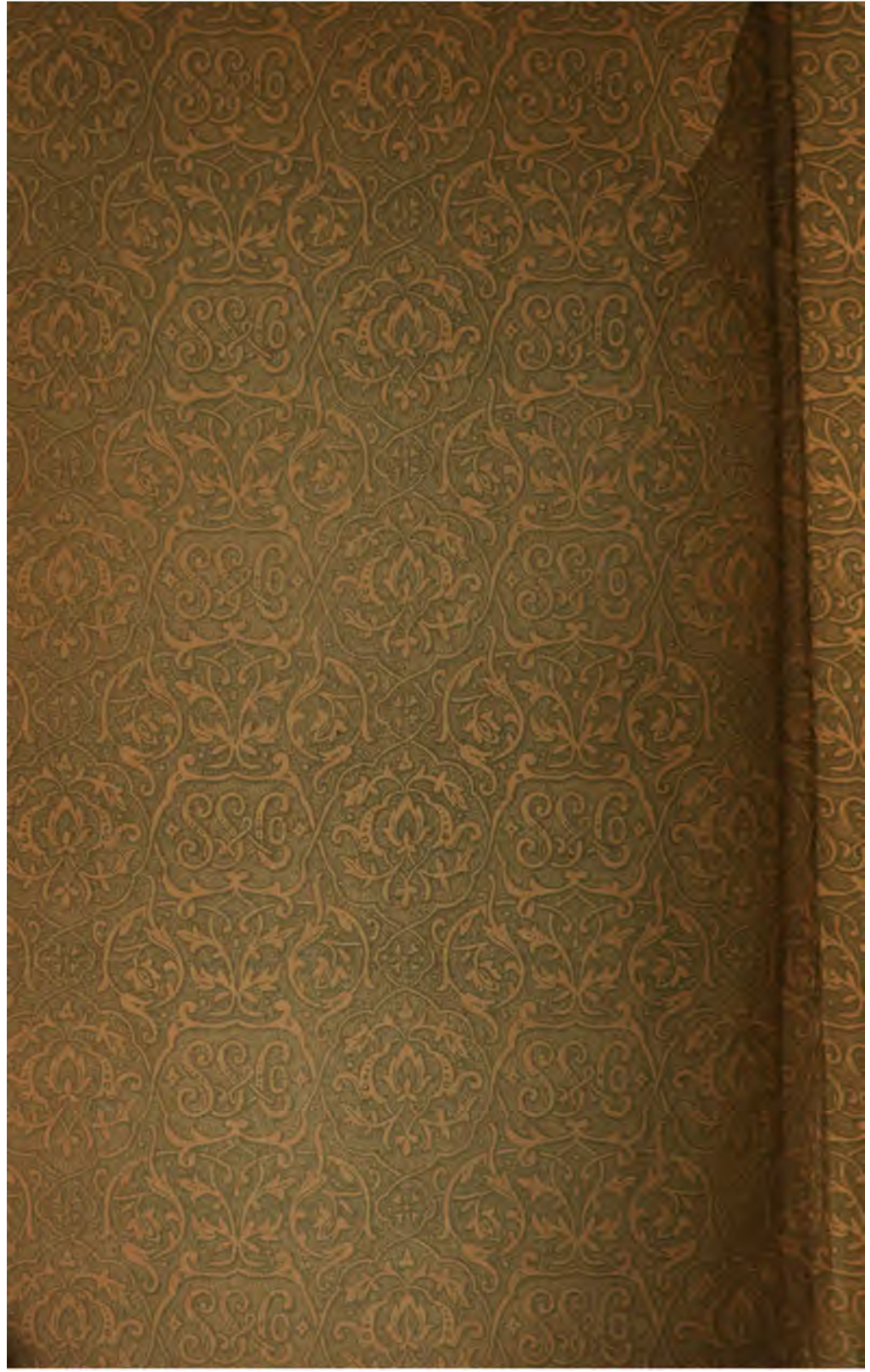
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